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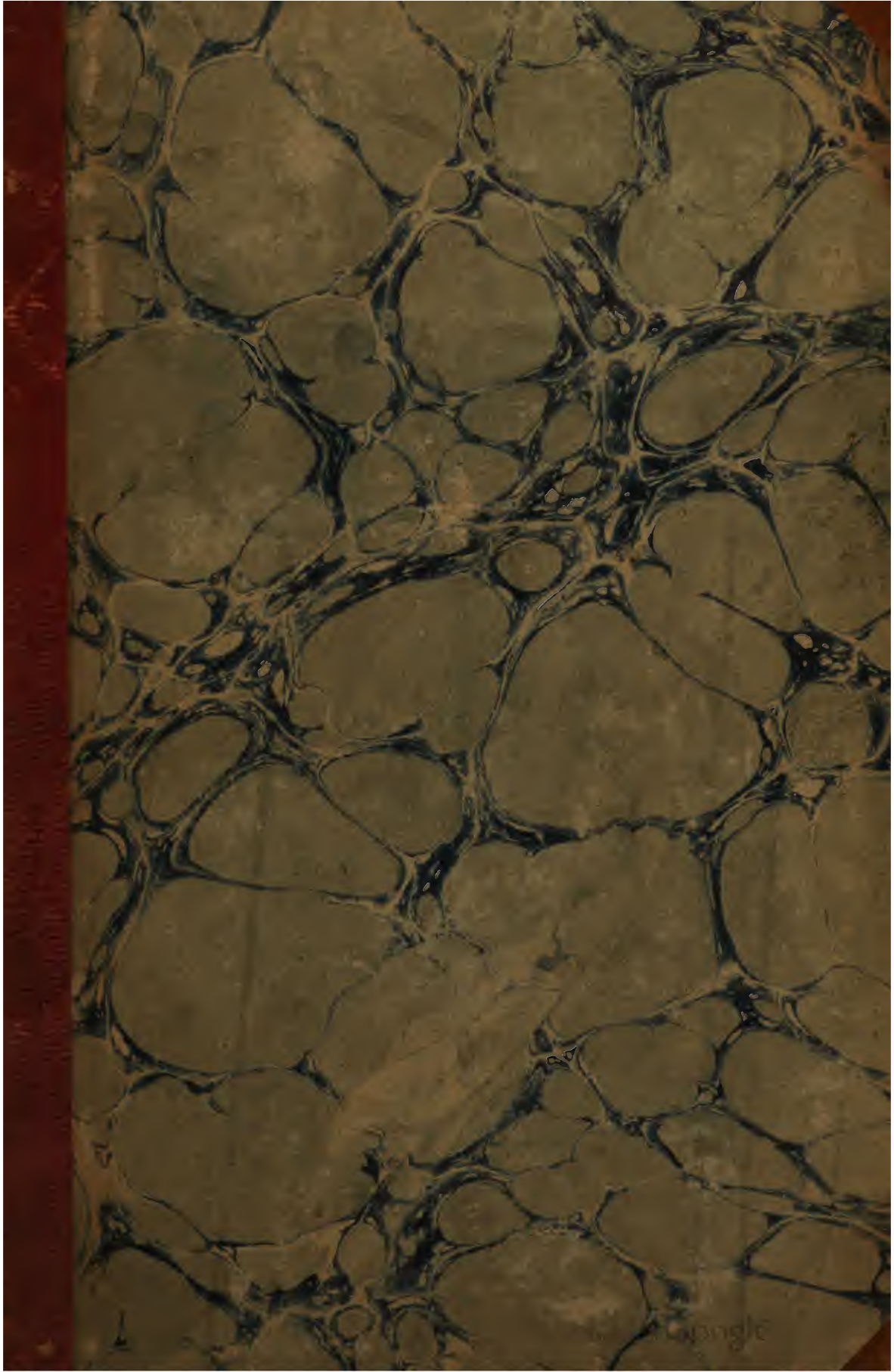
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TOGETHER WITH

**NOTICES OF THE ARTS AND MANUFACTURES, AND A RECORD
OF THE EVENTS OF THE TIMES.**

H. NILES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞ In obedience to a resolution to try to give the subscribers to the REGISTER the full worth of the money required for it, a SUPPLEMENT of eight pages is attached to the present number.

The title page and index for the last volume will be published next week.

☞ The arrangements for this number have been exceedingly deranged by the unusual space which we found it necessary to give up to the proceedings of congress, on the highly interesting subject so long discussed in both houses. Their nature was such that we could not condense them, as our custom is, without an apprehension of neglecting something that ought to be clearly understood and generally known. It will be seen that the house of representatives, having disagreed to all the amendments of the senate to the Maine bill, has passed the Missouri bill with the contemplated restriction, by a small but decisive majority, manifested on several occasions. The matter is now before a committee of conference of the two houses, and the National Intelligencer says, "there is yet a hope of its being ultimately adjusted, in such a manner as that each party will attain part of its object—and, as it is hoped, will serve to tranquilize the present ferment of the public mind." ☞ P. S. See page 16.

We have a copy of the report of the secretary of the treasury concerning a circulating medium, but not yet had time to read it. It is most likely that we shall insert the article entire, especially if Mr. Crawford has thrown the light which we hope that he has, on a matter so interesting, and about which many sober-minded people are so much mistaken. A body of solid gold, as long, broad and high as from hence to the planet *Herschell*, would be of no manner of use to any one, unless there were means to get some of it into circulation—the means provided of *earning money, through labor*. Money is plenty—the six per cent. stocks are at 103 to 104; but there is little use for money in the hands of those who do not owe it. Hence it has a sluggish currency, and those who have it do not know what to do with it for themselves, and are afraid to trust it to others. Of late, the editor has been several times consulted as to the best means of investing money—and his advice uniformly was—pay your debts, if you owe any, and hold on to the balance, except so much as you may want for necessary expenses and rational enjoyment. If congress sets the manufactures to work, or any thing happens to give a stir to commerce, money will be as "plenty" as a reasonable man can desire it to be. The people want employment—without that, any scheme to relieve the general distress must be mischievous, for our embarrassments are not of a *temporary* character: they are the natural effects of a ruinous policy and wild speculation, public and private.

Mail robberies.—In three instances, within about eighteen months, letters, mailed at James Town, Va. addressed to the editor, and containing small sums of money, have either been arrested in their progress or pilfered before they reached Baltimore. This would evidently shew that there is some villain on the route, in whose discovery the public are

much interested. There is hardly any, if any, species of crime against property so great as that of robbing the mail, and lessening the confidence of the people in this invaluable establishment.

We observe also, that the southern mail, proceeding north to Charleston, was wholly taken from the driver, 13 miles south of Bee's Creek. We trust that this will terminate as all other similar offences have done—in the arrest of the criminals and the recovery of the property. It is one of those offences which so much strikes at the interest of every man, that all men are on the alert to detect the authors of it.

Revolution in Spain!

The ship *Mendoza*, capt. Ramberger, has arrived at Philadelphia, in 45 days from Cadiz, from which place she escaped on the 5th of January, an embargo having been laid on all the vessels in that port. The following is published in the Philadelphia Gazette, as extracts from the journal of capt. Ramberger, who is represented as being one of the most respectable of his profession, and of unquestionable veracity."

From capt. Ramberger's Journal.

"On the 3d Jan. 1820, the news came to Cadiz, that part of the Spanish army consisting of 6000 men, had taken possession of the Caraccas, (the king's navy-yard) and the Isla, a town between Cadiz and Caraccas—they had released the state prisoners which were confined in Caraccas, and a col. of the prisoners put himself at their head; there was only one captain of the royalists killed, who opposed the passage of the bridge at the Isla; he was shot by the colonel in person. Cadiz was as well as possible fortified; an advance guard was sent to garrison a strong fort which commands the road of Cadiz, and all the gates shut. Not a person allowed to go out or in without a written order from the governor; the whole city in great consternation; all the stores shut; the militia ordered out to patrol the streets; at 12 o'clock at night, we heard firing which lasted for half an hour.

4th January—This morning the gates still shut; we received intelligence, that an advance of five hundred men had made an attack on the fort which commands the road to Cadiz, but were repulsed with the loss of seven men killed—The gates were opened this day at 12 o'clock. The communication by land to the interior of Spain is stopped—provisions have augmented fifty per cent. this day. The general mail which started yesterday for the whole continent of Europe and England, was stopped by the National troops (as they call themselves) and destroyed. This day the governor sent out a flag to the Isla, to know what the troops wanted; they sent for answer, they were very well situated; that they would not trouble Cadiz, as long as they would not interfere with them—that they were an advance of fifty thousand men; that they want the constitution of the *Cortez*; that they would not embark for South America; and that their arrears should be paid. They also said that ten thousand men had marched to Madrid to compel the king to grant their demands. This afternoon, the men of war in the bay bent their sails, and were ordered

to proceed to sea on a moment's warning. All the gun-boats have been manned and stationed at Puntales, to prevent the National troops passing that post. The sailors and marines on board the men of war, and the regular troops in Cadiz have this day received their pay due them up to this day; promising them that if they would remain faithful to the king, that they should be paid every month. All the provisions which were on board the transports for the great expedition, are disembarked and stored in Cadiz.

6th January. This day received intelligence of Porto Real, Porto Santa Maria, Sevilla, and all the neighboring towns, having been taken possession of by the National troops, and all communication with Cadiz stopped, all vessels in the bay embargoed, and no pilots permitted to leave the city.

The state prisoners which were in the castle of St. Sebastian, made their escape last night; and it is said that they have joined the National troops at Porto St. Maria. This night I made my escape out of the bay.

The following is from a letter to a gentleman in Philadelphia, dated

"Cadiz, 5th January.

"We are besieged by 6000 men of the army that was destined for Buenos Ayres, who are determined not to embark. They have possession of the arsenal and all the country round; and I am informed they have taken the city of Sevilla, and have proclaimed the constitution in every place they go. They permit the boats with provisions and passengers to pass from all the places round; and have proclaimed it death in any soldier that takes any thing from an inhabitant without paying for it. I think if they proceed in this manner they will be here in seven or eight days, without any bloodshed. The inhabitants seem to be satisfied with their proceedings. There is not 700 men in this garrison, and they are not in confidence with their present government."

January 6.

"It would appear that a strong division of the grand army, originally destined against Buenos Ayres, had orders to march for Cadiz, where a detachment to consist of 6000 men, were to be sent to succour Morillo. The day before yesterday 2000 men entered the Isla, and at the bridge the marine guards attempted to oppose their entrance. The result was that the commander of the guards and the sentinel were shot by the approaching troops. On their entering the town they disarmed the marine guards, took the captain general of marines prisoner, and proceeded for this place; but the ships of war in the bay having learnt what had taken place at Isla, sent about 400 marines, soldiers and officers, to the "Corta Dura," who on the approach of the Insurgents, fired on them from the fort and killed about 13 on the spot.

The troops then retired to the Isla, and then the commander (a colonel) issued a proclamation styling themselves the advance guard of the "constitutional army." Other commanders it is said, have gone with their respective divisions, which consist of the whole of the army of the expedition, to different departments of the kingdom, and that the plot is of magnitude there is no doubt. I will write you soon and more fully, via Gibraltar."

New York, February 29—noon.

A letter was received in this city yesterday from

*A strong fort on the Narrow pass.

Havana, dated the 16th of Feb. which states, that a Spanish packet had just arrived there in a short passage from Cadiz, but brought no letters, nor did the officers communicate any news. The packet was to proceed immediately for La Vera Cruz.—

Mer. Adv.

☞ We easily believe what we wish to be true—And, as we most sincerely desire the destruction of the Spanish monarchy and "holy inquisition," that a gallant people may be relieved of an ungrateful tyrant and a herd of priestly knaves and villains, we are heartily disposed to pray for the success of almost any measure which may accomplish results so happy. The "hero of Bennington" has said that "death is not the greatest of evils," the gift of life without the means of living, is valueless. Such is the deplorable state of the people of Spain that they cannot be worsted—a change can hardly be imagined that will not be beneficial to them; and that they will support the army, we think, cannot be doubted. We now look for a great act of justice—the capital punishment of a perjured king, and at least, the perpetual imprisonment of all persons connected with the inquisition in their own dungeons. Events of this nature have long been expected to happen in Spain, and we cannot see any cause to doubt the intelligence now received. There is reason and probability as to the general facts brought to us.

If a revolution has taken place, and the king and his priests and counsellors meet with their deserts, the consequences will be of great "pitch and moment" to all the civilized world, but chiefly important to North and South America. In the first place, it will revive the commerce of the United States in a wonderful manner, and make money plenty, as the saying is, by raising up objects on which to employ it, and many thousands now idle, or nearly so, will find enough to do. Florida will naturally fall into our hands without an effort; and Cuba, we trust, will assume independence—which, much as we are opposed to alliances, we should be almost willing at once to guarantee, so immensely interesting to us is it that this valuable island should remain in its present weakness or be possessed by a friend. Mexico will probably become an independent kingdom, at which, it has been hinted, that the viceroy has long been aiming. Venezuela and Granada, now united and called the republic of Columbia with Buenos Ayres and Chili, will certainly be free. There will perhaps be a scramble among the European powers for some of the colonies of Spain, but though the government may be destroyed the nation will remain, and others will be preserved to it by mutual jealousies.

Ed. Rao.

"Free trade and Sailors Rights."

Such was *Porter's* motto, at the main of the "t'ght little Essex," and *Decatur's* toast at the dinner given to him at New York, when he returned with the Macedonian "in tow;" such is the principle of every naval officer in the United States,—and more than all, such is the rule by which every citizen of the republic has determined that things shall be governed. We therefore, hail with delight the following statement of the proceedings of lieut. RAMAGE, at Havana, and, hateful as war is, loath as we are to have a difference with any nation, we trust that every American, in a public or private station, will carefully watch and stand prepared to resist the "first dawning" of an attempt to reduce a free-born brother to a worse than Algerine slavery. The question of impressment remained

unsettled at the treaty—but, *principiis obsta*; let us meet a resumption of the infernal practice at the beginning—make the strongest possible laws to exclude foreign seamen from our service, and enforce them with all the means in our power,—but declare to the world that under the "star spangled banner," is really the "home of the free."

The British *Wasp*, it seems, encountered an American *Hornet*—our country's thanks to lieutenant Ramage and his officers, for a conduct so honorable to themselves, and, as an example, of inestimable value to preserve peace with England, and the respect of all foreign nations. We hope for particulars—they are as "precious as rubies."

From the *Federal Gazette*. *Extract of a letter, dated Havana, Feb. 16, 1820.*

"I cannot close this letter without informing you that we have here two English brigs of war—and our little pop-gun schooner *Hornet*, lieutenant Ramage, of six nine pounders—One of the brigs fell into the old trick of impressing, by sending his boat on board the schr. *Sarah and Louisa*, of Baltimore, and taking out a sailor. I cannot enter into the whole detail of the affair, but suffice it to say that lieutenant Ramage, immediately took it up in a gentlemanly, firm, and truly officer-like manner, such as characterize the noble sons of Columbia's gallant little navy, and after much correspondence has completely gained his point. The reply of the governor to his official report of the occurrence, is very handsome. John Bull's replies being somewhat irrelevant and evasive, Ramage gave him twelve hours for his categorical answer—whether he would or would not give up the man—the reply is satisfactory.—The *Wasp* is the English brig's name, capt. Carter. Our officers were determined, if official means did not answer, to make the affair a *personal one*, as they are all resolved to do on every occasion, until old John desists from his insults."

☞ A Charleston paper, referring to the same circumstance, says—We understand that a pretty sharp correspondence took place between captain Ramage of the *Hornet*, while at Havana, and the commander of the British sloop of war *Wasp*, in consequence of the impressment by the latter of an American seaman, belonging to a Baltimore vessel. As the *Wasp* was about to sail for New Orleans, Captain Ramage forwarded a statement of the circumstances to com. Patterson, who commands that station, and has also forwarded a similar statement to the secretary of the navy at Washington.

"Signs of the Times."

The following has been addressed to the editor of the "*Kraistren*" by some gentleman signing himself "A Democrat of '98," with a request that it should "be put in form" for publication. We cannot comply with this request, having much more writing of our own to do than we can do, as we would: but believing that the hints deserve attention, we give them just as they were presented to us, for the reflection of our readers.

Ed. Res.

Mr. Niles,

Sir—Being one of your subscribers for many years, and, if I know myself, a democrat of the old school, one who, I assure you, has no motive other than to invite you to examine the policy pursued by the general government since the late war and now—and if you can shew that it is correct—I, and many others, will be much gratified.

When we look at England and reflect on what most likely has been the causes that led to her pre-

sent state, and compare our present policy with her's—I confess to you, that it appears to me alarming.

We have our bank—our standing army—our permanent navy—with all the officers, sub-officers and their connections, ramified throughout the whole nation—all of which appears to me to be of a piece—and in direct hostility with the liberties of the people.

It seems to me the nation is asleep—the people seem contented in 1820 with the government's pursuing a policy which in 1800, caused a complete revolution.

I confess myself unable to see why it should be so. We surely have nothing to fear from foreign nations now, to cause these extensive preparations. Not so in 1800—all Europe was at war—and we less powerful and less in debt. Yet Mr. Jefferson thought the policy of 1800 most congenial to the feelings and interests of the people.

In 1820, we have little business and a bad prospect before us of its being better—are we not therefore forging chains for ourselves and our posterity? I do, most religiously believe, that a more certain mode cannot be adopted by the ingenuity of man.

Have we not permitted ourselves to be gulled by our deranged currency into a bank—and tickled by the exploits of the late war, into a *permanent navy and army*? It is time we examine into it, or be assured it will be too late.

A very seasonable article.

The following is the eighth chapter of "*Artistic sketch of the policy of the government of the United States, on the subject of agriculture, manufactures and commerce, from its organization to the present time*," now in the press and speedily to be published. If the subjects generally, are managed with the master-hand so evident in this extract, I venture to say that the work will have a mighty effect upon the public reason.

I have myself, several times pretty severely admonished upon the manner that business is done, or neglected to be done, by congress; and stated some cases of hardship towards individuals which amounted almost to a *wanton denial to common justice*, and others that shewed a waste and profligacy in regard to the public money and of public time, unparalleled in the annals of legislation: but I fell far short of the effect which this exhibition must have on the considerate mind—which presents to us an astonishing apathy at the beginning of a session, and an undignified *undiscriminating* haste at the close of every one.

Never was there a happier "hit" than the detail of the proceedings on the "compensation law," contrasted with those respecting the hero of Bennington—the venerable Stark, the last surviving major general of the revolution, old and feeble and in penury. The impression is irresistibly made, that congress can legislate fast enough, on their own account.

The things so justly complained of, must be corrected—the republic has suffered more by them than can be easily imagined, and for what? Aye, "that's the question!"—that the *people's* time and money may be consumed in visitings and feasting, or with drawing speeches, when the houses are in session, which nobody listens to, which would do no good if they were listened to, though costing us more than five hundred dollars per hour.

It will be seen by the congressional proceedings, that Mr. Randolph, in the circle of his eccentricities, has moved an enquiry into the contingent expenses of the house of representatives—but if he would attack the mighty evils exposed in the article annexed, having first corrected himself, he would do his country the most essential service that he has the power to render it.*

I hope that this exposition will sink deep in the mind of every independent editor in the United States, of whom I consider myself to be one. If we can be induced by a consideration of their importance, to act together to produce a reformation, it may be accomplished. The people will nobly support us; a few who think themselves vastly great men may be offended,—but they who made them members of congress, it must not be forgotten, can also unmake them. For my own part, I pledge myself not to neglect the people's interest in this matter, and intend some day to visit the capitol to take a list of the members and how they are employed, while some person is making a speech—for the newspapers.

It must be observed, however, that on Tuesday last, the house of representatives deserved well of their country, and fairly earned much more than their wages, by bringing the consideration of the Missouri question so nearly to a close as to order it to a third reading, after a sitting of nine hours and a most laborious discussion. No possible good, but much injury has resulted by suffering it so long to be suspended, and every body, on either side, will be glad when it is finally disposed of.

Dilatory mode of proceeding in congress. Lamentable waste of time. Statement of the progress of bills. Eighty two signed in one day! And four hundred and twenty in eleven! Unfeeling treatment of gen. Stark. Culpable attention to punctilio. Rapid movement of compensation bill.

To every man interested in the honor and prosperity of the country, it is a subject of deep regret to reflect on the mode in which the public business is managed in and by congress. It is among the sources of the distress and embarrassment of our affairs, and requires an early and radical remedy. While in session, a considerable proportion of the members are employed in chatting—writing letters to their friends, or reading letters or newspapers. They pay little or no attention to the arguments of the speakers, except to those of a few of distinguished talents. To some of the orators, however, this is no great disappointment; as their speeches are too often made for the newspapers, and to display their talents to their constituents.

But the lamentable waste of time by the spirit of procrastination in the early part of the session, and by never-ending speechifying throughout its continuance, is the greatest evil, and is discreditable to congress and highly pernicious to the public service. There is in almost every session some subject of real or fictitious importance, on which every member capable of speaking thinks himself bound to harangue, and to "keep the floor," for two, three, four, five or six hours. The merits of the speeches are generally measured by the length

of time they occupy. They are all, to judge by the puffs in the newspapers, elegant, wonderful, powerful, admirable, excellent, inimitable.

In most cases, it will be found, as is perfectly natural, that the early speeches, on each side, particularly if by men of talents, exhaust the subject; and that those which follow them, do little more than retail the arguments previously advanced. It surely requires no small disregard of decorum for a member to occupy the time of a public body, to whose care are entrusted the concerns of a great nation, with such fatiguing repetitions.

The debate on the repeal of the compensation act cost some weeks; that on the Seminole war, fills six hundred of close printed pages; which, if divested of the duplications, triplications, and quadruplications, the rhetorical flourishes, and extraneous matter, would be reduced to two hundred—perhaps to one hundred and fifty. The Missouri question will probably fill from eight hundred to one thousand pages. Some of the prologues to these speeches are, as was humourously observed by a member long since, like "sale coats," calculated to suit almost any other subject equally well. And during this miserable waste of time, excitement of angry passions, and seditious threats of separation, there is a total suspension of the business of the nation, whose blood flows at every pore—whose revenues are failing—whose manufactures are paralyzed—of whose commerce one half is annihilated—whose merchants and manufacturers are daily swallowed up in the vortex of bankruptcy—whose great staples have fallen in price at least thirty per cent.—and which exhibits in every direction, most appalling scenes of calamity and distress!

Some idea may be formed of the mode in which the business of this nation is conducted by its legislature, from the following chronological statement of the periods at which the acts of successive sessions were approved by the presidents. Between their passage in the two houses and the dates of the presidents' signatures, there may be some few days difference, for which the reader will make allowance. But be that allowance what it may, it cannot remove the accusation of a most ruinous waste of time, and a most culpable and shameful procrastination of public business in congress.

In the first session of the twelfth congress, which commenced on the 4th of November, 1811, and terminated on the 6th of July, 1812, there were one hundred and thirty eight acts passed, which were signed by the president in the following chronological order—

In November	2
December	8
January	9
February	14
March	14
April	26
May	21
June	17
July 1st	8
July 6th	29
	138

Twelfth congress.—Second session. From November 2, 1812, to March 3, 1813—Sixty-two acts.

November	1
December	4
January	11
February	23
March 3d	23

*Mr. Randolph's speech, (a sketch of which is published in the National Intelligencer and occupies a column), on moving this enquiry, though no doubt amusing, afforded about as good a specimen of the way in which time may be wasted, as any that we have seen. He talked offthings which had no sort of connection with the subject of his motion.

Thirteenth congress.—First session. From May 24, to Aug. 2, 1813.—Fifty nine acts.

May	00
June	3
July	32
August 2d	24

The twenty four acts signed on the 2d of August, contain *forty six pages of close print.* The act imposing the direct tax, is in the number, and contains *twenty two pages.*

Thirteenth congress.—Second session. From December 6, 1813, to April 18, 1814.—Ninety five acts.

December	2
January	7
February	7
March	27
April 1st to 16	18
April 18th	34

Thirteenth congress.—Third session. From September 19, 1814, to March 3, 1815.—One hundred acts.

September	00
October	1
November	6
December	11
January	9
February	38
March 1st	4
March 3d	31

The thirty-one acts signed on the 3d of March, contain thirty-five pages.

This was the ever memorable session of congress, in which the imbecility of the majority and the factious violence of the minority, brought the nation to the jaws of destruction, previous to the close of the war.

Fourteenth congress.—First session. From December 4, 1815, to April 30, 1816.—One hundred and seventy-three acts.

December	2
January	4
February	15
March	14
April 2d to the 24	39
26th and 27th	59
29th	31
30th	8

Fourteenth congress.—Second session. From December 2, 1816, to March 3, 1817.—One hundred and fourteen acts.

In December	00
In January	8
In February	10
On Saturday, March 1st	14
March 3d	82

The acts of this session are comprised in one hundred pages. Those signed in January occupy three pages and a half—those in February four—those on the first of March nine—and those on the 3d seventy three!

Fifteenth congress.—First session. From November 16, 1817, to April 20, 1818.—One hundred and thirty acts.

November	00
December	1

January	7
February	6
March	10
April 3d to 18th	54
April 20th	52

130

The fifty two acts signed on the 20th of April, contain, of J. E. Hall's edition, no less than eighty seven pages. In this session there were, it appears, one hundred and six acts passed in seventeen days—and only twenty four in the preceding four months and a half!

The annals of legislation may be challenged for any parallel case.

Fifteenth congress.—Second session. From November 16, 1818, to March 3, 1819.—One hundred and seven acts.

November	00
December	7
January	4
February	33
March 2d	8
March 3d	59

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This system of procrastination has been coeval with the government. I am informed by a gentleman of veracity, that general Washington, when an extraordinary number of acts were presented to him on the last day of a session, more than he could correctly decide upon, has expressed a strong and most marked disapprobation of so incorrect a procedure,

Analysis.

Sessions of congress	9
Duration	months 394
Acts passed	988
Of which were signed in eleven days	420

viz.

1812. July 6th	29
1813. March 3d	23
August 3d	24
1814. April 18th	34
1815. March 3d	31
1816. April 26th, 27th and 29th	90
1817. March 3d	82
1818. April 20th	52
1819. March 3d	55

Acts signed in eleven days 420

Thus it appears that in *three years and three months* there were 568 acts signed—and in *eleven days*, as I have stated, 420!! Wonderful system of legislation!

No small share of the censure due to the procrastination of the public business, so visible in the above proceedings, justly attaches to the speaker for the time being. He ought to keep a docket of the business brought before the house, and urge committees to perform their duty. Certain days should be appointed to make reports, which ought then to be called for. If not ready, others should be fixed. And whenever the public business is unnecessarily or wantonly procrastinated, his duty requires the use of strong animadversion. This arrangement would be productive of the most salutary consequences. But for want of this or some other system, a very large portion of every session is literally thrown away. And so much of the business is crowded together at the close, that it is impossible to concoct it properly. Ever since the organization of the government, three-fourths

of all the important acts have been passed within the last week or ten days of each session.

Is it then surprising that the national business is egregiously ill-managed? That the reiterated requests of so large a portion of our citizens, for a bankrupt and other salutary acts, are of no avail?—How is it possible for the members—how is it possible for a president—to discharge their respective duties conscientiously with such a system? Can any powers short of superhuman, enable the latter to decide on the justice, the propriety, the constitutionality of twenty, thirty, forty, fifty, sixty, seventy, or eighty acts in one or two days? Is not this making a mere mockery of legislation?

Two, three, and sometimes four months are drawled away in the early part of the session—with three, four, six, eight, ten or twelve acts—and afterwards all the business is hurried through with indecent haste. In the one portion of the time, the progress resembles that of the snail or the sloth—in the other, that of the high mettled racer. In fact and in truth, if congress desired to bring republican government into disgrace, to render it a bye-word and a reproach, it would not be very easy to devise a plan more admirably calculated for the purpose than a considerable part of their proceedings.

One ruinous consequence attending the system pursued, is that, at the close of every session, some of the most important bills are necessarily postponed.

It is frequently said in justification of the procrastination of congress, and the little business that is executed in the early part of the session, that the committees are employed in digesting and preparing their reports. It is obvious, that this must require time. But whoever considers the nature of a large portion of the business that is discussed in that body, will be convinced that it might be dispatched in a fifth part of the time it occupies.

Among the acts hurried through at the close of the session, there are frequently some, and among them private ones, which have "dragged their slow length along" for months before, and which might as readily be decided on in a week as in six months. I annex the dates of introduction and of signature of a few to exemplify this.

	Reported.	Signed
Act to divide the state of Pennsylvania into districts, 1818.	Feb. 4	April 20
Act for publication of laws,	Jan. 16	April 20
Act for relief of B. Birdsall	Jan. 27	April 20
Act for incorporating Columbian Institute,	Feb. 3	April 20
Act for relief of gen. Brown,	Feb. 9	April 18
Act for relief of T. and J. Clifford	Jan. 20	April 20

The bill for the relief of T. and J. Clifford, which was three months on its passage through the houses, contains about twenty lines, and was for the remission of duties paid on articles not subject to duty. Three days would have answered as well for the discussion as seven years. Such is the case with half the bills that are crowded together at the last day of the session.

It may not be uninteresting to make a few further extracts from the journals, shedding additional light on this important subject.

1819. April 18. "Engrossed bills of the following titles (*nine in number*) were severally read a third time and passed."

April 20. "Bills from the senate of the following titles (*ten in number*) were severally read a third time and passed."

Eodem die. "A message from the senate that

they have passed bills of this house of the following titles, to wit—(*eighteen in number.*)"

By a careful search through the journals of different sessions, we might find three or four hundred bills, thus bundled together, and hastily read off, ten or a dozen en suite.

The case of gen. Stark deserves to be put on record, to corroborate some of the opinions offered in this chapter.

On the 6th of March, 1818, a petition was presented by this old veteran, representing his necessitous circumstances, and praying that the bounty of the national government might be extended to him, in the decline of life, in compensation of his faithful services in defence of his country. It was referred to a committee, who reported a bill on the 9th, which was read the first and second time on that day. *It then lay over untouched for above five weeks, till Saturday the 18th of April*, when it was passed and sent to the senate, where it was read and referred to the committee on pensions, who reported it on that day without amendments. It was read the third time on Monday the 20th, in committee of the whole, and agreed to *with amendments*. It being against a rule of the senate to pass a bill, under those circumstances, on the same day, Mr. Fromentin moved that the rule be dispensed with. *But this motion was unfeelingly rejected.* And as the session was closed that day, the bill of course was lost; and the venerable old hero, about ninety years of age, and bending over the grave, was disappointed at that time of receiving the pittance intended for him. The importance of his victory at Bennington, which led to those all-important events, the battle of Saratoga and the capture of general Burgoyne, which stands conspicuous among the proudest triumphs of the revolutionary war, is so deeply impressed on the public mind, that every good man in the nation felt deep regret at this very ill-timed and ungracious punctilio.

The compensation bill, which was to render members of congress salary officers, at the rate of 1500 dollars per annum, passed by a former congress, forms a proper contrast to the bill in favor of general Stark.

It was read the first and second time in the house of representatives	March 6th, 1815.
Read a third time and passed	9th
Read first time in senate	11th
Second time	12th
Third time and passed	14th
Laid before the president	18th
Approved same day.	

What wonderful economy of time!

Thus a bill for their own benefit which introduced a novel principle into the country, in twelve days passed through all its stages from its inception, to the presidential approbation!!

What a reproach to congress arises from a contrast of this case with that of the veteran Stark! How wonderfully their personal interest accelerated their movements!

The citizens of the United States, however, are answerable for a large portion of the derelictions of congress. Most of the members are ambitious of popularity; which forms one of the principal inducements to seek a seat in that body. And the utter inattention too generally displayed by the citizens to the conduct of their representatives, induces a degree of indifference towards the interests and wishes of the constituents. A more frequent call for the yeas and nays, by those members who are

sincerely desirous of discharging their duty, and of having the public business punctually attended to, together with a publication of lists of votes on all important questions, previous to elections, would operate powerfully on the feelings of the members. If every member whose votes militated with the substantial interests of his country, were sure to be discarded, as he ought to be, on the day of election, the proceedings of congress would exhibit a very different appearance from what they do at present.

NOTE BY THE EDITOR OF THE REGISTER.

At the moment of handing the preceding to the workmen, in turning over some letters which I had "laid on the table," the following paragraph in one from a gentleman of Virginia, attracted my attention, and I thought it might well be added by way of a note.

"While the pen is in my hand, permit me to trespass a little longer on your time, to express an idea, which suggested itself to me on reading the debates in congress on the subject which now so much agitates the nation, (it is almost the only subject on which I cannot agree with you,) but let me premise, it must not be inferred, that I am hostile to a free discussion of all subjects of importance, as this unquestionably is. The idea is, that by some convenient mode, each member of congress should be reminded when he assumes "the floor," of the expense he is about to impose on the people: it might deter some "honorable gentlemen" from consuming so much time to reiterate, what had often been repeated by other "honorable gentlemen." I have not before me the data to ascertain the exact expenses of congress per day, but presume that 2500 dollars will not be much out of the way;—if this be a good "guess," some of the speeches have cost the nation 5000 dollars.—Have we, (or the speaker) received an equivalent? This is what I wish to be borne in mind by the "honorable gentlemen." What an inconsistent creature is man! perhaps I am now committing the very offence, I have censured in others, pardon me, sir—

I am, most respectfully, &c.

District of Maine.

Representation of the members of the house of representatives, from that part of Massachusetts hitherto known as the district of Maine.

To the honorable the senate and house of representatives, of the United States, in congress.

The undersigned, members of the house of representatives, from that part of Massachusetts hitherto known as the district of Maine, beg leave, respectfully, to represent—

That they have received a communication from the delegation from Maine, in the legislature of Massachusetts, stating the embarrassments which the people of Maine experience by the delay of congress to decide upon the bill for their admission into the union, and requesting them to press these embarrassments upon the consideration of congress.

The act of Massachusetts granting the separation is on condition that congress shall consent to their admission into the union before the fourth of March, 1820. It is understood that this condition will be held indispensable, unless on terms which are inadmissible.

By the constitutions of the states of Massachusetts and Maine, the elections for the next legislatures will be held on the first Monday in April. The meetings are usually summoned between the

middle and twenty fifth of March. Should congress delay a final decision beyond the present week, the notice could not arrive to the remote towns and plantations of Maine, before they shall have notified their meetings, and perhaps held their elections. The embarrassments and injuries which would result are beyond calculation. One portion of the electors voting under the constitution of Massachusetts, the other under that of Maine.

Should the legislature of Massachusetts repeal the condition, it would afford no relief. They cannot postpone the elections. These would be held in each state, under total uncertainty. Should we elect our officers for the new state, and congress refuse to admit us, we should have officers without a state. Should we elect for Massachusetts, and congress admit us, we should have a state without officers. Should Massachusetts and Maine determine differently, one relying on congress to pass the bill, and the other proceeding as before, it would produce a complication of errors and embarrassments equally unfortunate and ridiculous.

To these difficulties, which are serious indeed, the undersigned have to add others equally afflicting. The legislature must pass several laws, which will depend on the decision of congress. They have protracted their session beyond the usual period, and are now at great expense, waiting the result of your determination.

The people of Maine, not aware that any reasonable objection would be urged to their admission, considering that they had given no just cause of offence to their brethren of the United States; believing, moreover, that the act of the last congress seemed to have pledged the assent of the nation, have made their arrangements for the new order of things, notified their meetings for the selection of their candidates, and made other preparations which their exigencies require. If their hopes are to be disappointed, at last, they think it but reasonable that they should know it, before their evils shall be further increased.

The undersigned, therefore, in behalf of their constituents, ask leave respectfully to urge, that congress would, as speedily as possible, decide the question of their admission into the union. They exceedingly regret that the people of Maine are to wait the discussion of a principle in which they have taken no part, and which can never apply to their case. They believe that their claim is entitled to a separate and independent decision. But if they are doomed to wait until other claims, unconnected with, and foreign to theirs, shall have been decided, they hope and trust that the peculiarity of their situation will be their apology for urging that those other claims may be brought to a decision, and in believing that after five weeks debate on a subject with which they have been unfortunately connected, congress will, for their sakes, practice a *brevity* which the crisis demands.

JOHN HOLMES,
M. KINSLEY,
MARK LANGDON HILL,
JAMES PARKER,
JOSHUA CUSHMAN,
EZEKIEL WHITMAN.

Uniform System of Bankruptcy.

FROM THE NATIONAL INTELLIGENCER.

We understand that a bankruptcy system, of a new cast, has been digested by a judicial character, whose experience has been not a little, and will

shortly be submitted to the investigation of the friends of such a measure.

This bill proposes—

I. To incorporate the bankrupt system into the judicial system of the country; to which it properly belongs.

II. To get rid of the machinery of commissioners and assignees, and substitute for them—

1. A register of bankruptcy, who shall be the common assignee in each district; reserving, however, to creditors the right to take the bankrupt's estate into their own hands when they prefer it, and obliging them to take it after a limited time.

2. An inquest, in the nature of a special jury, before whom the conduct of the debtor shall be openly investigated.

It then proceeds to make provision—

1. To secure the creditor against frauds.

2. To enforce an equal distribution of the bankrupt's effects.

Bankruptcy is provided for, as distinguished into voluntary and involuntary. The rights of a voluntary bankrupt, in the cases specified, are extended to all persons; the liability of an involuntary bankrupt confined to merchants and traders. But an involuntary bankrupt may entitle himself to the rights of the other, by the subsequent fairness of his conduct.

It then concludes with a confirmation of all the discharges under state laws, up to the passage of the act, wherever they have been obtained without fraud or concealment.

The system now before congress provides only for the cases of involuntary bankruptcy.

Those who are unfavorable to a total discharge of the bankrupt, will have only to alter one line, in order to substitute a letter of license or exemption from suit for a term of years.

Gun powder, Lead, &c. Loaned.

We have a report from the department of war, in obedience to a resolution of the house of representatives of the 24th Jan. relative to certain loans to private citizens, of gun powder, lead, &c. belonging to the government. The amount and persons to whom loaned is as follows:

March 16, 1815—	Geo. W. Murray, N. York, lead	tons 23, 0 2 10
Oct. 25, —	ditto	do. " 28, 4 3 4

May 25, —	Stull and Williams, Georgetown, Col.	powder lbs. 60,000
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June 24, 1817—	E. J. Dupont & Co. Wilmington Del. do.	3,600
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July 24, —	ditto	do. 320,902
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Aug. 16, —	ditto	do. 20,000
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Oct. 21, —	Peter Bauduy, Wilmington, Del.	do. 80,000
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The times of re-payment were, for the lead, six months from loan, and for the powder, at sixty days after notice; security for the value of the articles being given

In explanation, it appears that the loans of lead to Murray, were made because the stock of government was large, and as the article was very scarce, to assist him in the manufacture of white lead, in which he was extensively engaged. The powder was loaned because the stock on hand was too large, and liable to be damaged—a part also being of an inferior quality, for which that of the best quality was to be returned. The arrangements, as to the powder, were sanctioned by Mr. George Graham, then acting secretary of war.

Dupont & Co. have partially returned what they borrowed, and appear ready to meet the wants or wishes of the government in respect to the balance.

The re-payment by Bauduy is considered doubtful—he at present is said to reside at Havana, and

his securities are not regarded as good. Stull and Williams have repaid a part of the powder, and new securities have been required, though not yet obtained, for the balance.

The loans of lead, to Murray, it appears were made on the personal responsibility of capt. Tyler, late of the ordnance department, who, in the course of last year was dismissed from the service. Nothing is said of the probability of a re-payment.

In obedience to the same resolution, there is a report from the navy department, and the commissioners of the navy, stating that no loans had been made to any private citizen, to the knowledge of the secretary or the commissioners.

CONGRESS.

IN THE SENATE.

February 24. The senate proceeded to the consideration of the report of the committee of finance, on the petitions of Andrew Low and others, merchants of Savannah, who pray for a remission of duties paid and secured to be paid on a large amount of imported goods which were consumed and destroyed by the late fire in that city. In general, the government has refused to remit the payment of duties in such cases. Relief has, however, in a very few such cases, been granted; but in extraordinary cases—such, for example, as the goods being in the custody of the officers of the United States, to secure the payment of duties. The report concludes an argument of some length by recommending the adoption of a resolution "that it is inexpedient to grant the prayer of the petitioners."

Mr. Elliot, of Georgia, moved to amend the report by substituting the following resolution for that reported by the committee:

Resolved, That the report be recommitted to the committee on finance, with instructions to report a bill authorising the remission of 25 per cent. on all bonds due, or becoming due, at the custom house at Savannah, in Georgia, executed for the payment of duties on imported goods, wares, and merchandise, not insured against fire, and which have been destroyed by the late fire in that city—and extending the additional credit of two years on such bonds."

This amendment was earnestly supported by Mr. Elliot, and Mr. Walker, of Georgia. These proceedings shall be more particularly noticed at a future day.

The whole subject was then, on motion of Mr. Roberts, postponed to to-morrow.

The report of the committee of pensions on the petition of Richard Butler and others, praying for pensions (who did not serve in the army of the revolution, but in the partizan corps of the several states) was taken up, and it was

Resolved, That the prayer of the petitioners ought not to be granted.

The bill making further provision for the sale of the public lands (changing the terms of sale from credit to cash) was taken up, and the amendments proposed yesterday by Mr. Walker, of Alabama, was, after some discussion, withdrawn by him, in order to be offered again on a future occasion.

Mr. Edwards offered the following amendment:

And be it further enacted, That every person who now is, or hereafter may be, an actual bona fide settler upon any quarter section of land which shall have been previously exposed to public sale, and remain unsold, shall be permitted to purchase such quarter section in the same manner, and on such terms as are now authorised by law."

Considerable discussion took place—finally, the subject was postponed until to-morrow. After some unimportant matters, the senate proceeded to executive business.

February 25. Mr. Elliott's amendment offered yesterday to the report of the committee appointed on the memorial of the sufferers by the late fire at Savannah, was agreed to—ayes 21, noes 18.

On motion of Mr. Burrill, the senate then proceeded to the consideration of the *Maine bill*.

The question being on the motion of Mr. Burrill, (not Mr. Morrill, as heretofore stated,) to recede from the amendments of the senate, which embrace provisions for the admission of Missouri, and for excluding slaves from the territories—

A discussion arose on a point of order, respecting the division of this question, (as yesterday directed,) so as to separate the question respecting Missouri from that respecting the territories: it being contended by Mr. Burrill, that the whole amendment was an unit, the second part depending on the first, and therefore inadvisable.

The president, (Mr. Gaillard,) availed himself of a rule of the senate, to submit the question to the decision of the senate. And, after debate, in which Messrs. Burrill, Otis, Barbour, Walker of Alabama, Lowrie, Macon, Roberts, King of N. Y. Smith and Morrill, took part, the question apparently becoming more difficult in the course of the discussion, it was at length determined, on the third trial, that the further consideration of the subject be postponed to to-morrow.

The following letter was received from the secretary of the treasury:

Treasury Department, 23d Feb. 1820.

SIR—In obedience to a resolution of the senate, of the 12th of February, 1819, directing that "the secretary of the treasury lay before the senate, as early in the next session as practical, an abstract of all bonds for duties, on merchandize imported into the United States, which shall have become payable and remain unpaid on the 30th day of September next, exhibiting in such abstract the state of each bond and the time when it became payable, its amount, names of the obligors, distinguishing principals from sureties, and the district of the customs in which taken, together with such information as will show how much or what parts of such bonds are irrecoverable and lost to the United States," I have the honor to transmit statements A, B, C, and D, and a letter from the register of the treasury presenting the general result of statements A and D. From the latter statement, it appears that the amount of revenue which has accrued from the customs, from the commencement of the present government to the end of the year 1819, is estimated at \$351,329,799 53. From statement A, it appears that the amount of revenue lost by the insolvency of persons who became bound for the payment of duties, is estimated at \$1,037,355 64 cts. and that which is doubtful, at the sum of \$540,969 20. These sums together, are not quite equal to 45,100 of one per cent. upon the aggregate revenue which has accrued since the organization of the present government. Statement B shews the amount which is estimated to have been lost the government by the misconduct of officers employed in the collection of the revenue arising from imports and tonnage. Statement C exhibits the amount of loss from the collectors of the internal revenue and direct tax, and receivers of public moneys. These sums form an aggregate amount nearly equal to that which is exhibited in statement A. Documents from 1 to 71, inclusive,

contain abstracts of the bonds put in suit in the several collection districts of the United States.

It was intended to have presented a statement of the sums which are estimated to have been lost by the misapplication of the public money by the officers of the government employed in disbursing it; but it has been ascertained that the statement cannot be prepared during the present session of congress. There can, however, be no doubt that the losses arising from this source greatly exceed those which have been incurred in the collection.

I have the honor to be your most obedient servant,
WM. H. CRAWFORD.

The hon. the president of the senate.

The letter and documents lie on the table.

The senate then adjourned.

February, 26. After other business, the senate again proceeded to the consideration of the message from the house of representatives disagreeing to the amendment of this body to the bill for the admission of Maine into the union. [This amendment embraces nine sections, the first eight of which contain provisions for the admission of Missouri into the union; the 9th prohibits the further introduction of slavery into the territories of the United States.]

The question of order on the susceptibility of division of a question on motion to recede, so as to take it separately and successively on each part, being yet under consideration, Mr. Otis, Mr. Burrill and Mr. Morrill, successively spoke briefly on the question; when,

On motion of Mr. Johnson, of Ky. the senate adjourned.

February 28. Mr. Lloyd, of Maryland, submitted for consideration the following resolution—

Resolved, That the committee on public lands be instructed to enquire into the expediency of making appropriations of public lands for the support and encouragement of literary institutions within the limits of the old states, corresponding with the provisions which have been made for the same purpose within the limits of the new states.

The motion lies on the table one day of course.

The senate proceeded again to consider the question on receding from the amendments made by the senate, and disagreed to by the house of representatives, to the bill for the admission of Maine into the union.

[These amendments embrace two distinct measures: the one admitting Missouri into the union—the other prohibiting the future transportation of slaves into the territories of the United States.]

The question of order, depending on the last adjournment, was, after a few remarks on it by Mr. Wilson, by a vote of 22 to 17, decided in favor of the *divisibility* of the question of recession from the amendments of the senate.

The question was then taken, without debate, on receding from so much of the amendments of the senate as provides for the admission of Missouri into the union, and decided as follows.

For receding.—Messrs. Burrill, Dana, Dickerson, Hovey, Hunter, King, of New York, Lannan, Lowrie, Mellen, Morrill, Noble, Otis, Palmer, Parrott, Roberts, Ruggles, Sanford, Tichenor, Trimble, Van Dyke, Wilson.—21.

Against receding.—Messrs. Barbour, Brown, Eaton, Edwards, Elliot, Gaillard, Johnson of Ken. Johnson of Lo. King of Alab. Leake, Lloyd, Logan, Macon, Pinkney, Pleasant, Smith, Sikes, Taylor, Thomas, Walker of Alab. Walker of Geo. Williams of Miss. Williams of Ten.—23.

So the senate *refused* (every member of the senate being in his seat) to recede from this part of its amendments.

The question was then taken, also without debate, on the *receding* from so much as regards the

inhibition of slavery in the territories of the United States north of 36 degrees 30 minutes north latitude, and decided as follows:

YEAS.—Messrs. Barbour, Elliot, Gaillard, Macon, Noble, Pleasants, Sanford, Smith, Taylor, Walker of Geo. Williams of Miss. —11.

NAYS.—Messrs. Brown, Burrill, Dana, Dickerson, Eaton, Edwards, Horsey, Hunter, Johnson of Ken. Johnson of Lou. King of Ala. King of N. Y. Lanman, Leake, Lloyd, Logan, Lowrie, Mellen, Morrill, Otis, Palmer, Parrott, Pinkney, Roberts, Ruggles, Stokes, Thomas, Tichenor, Trimble, Van Dyke, Walker of Ala. Williams of Ten. Wilson.—33.

So the senate *refused* to recede from this or any part of its amendments to the bill for the admission of Maine into the union.

On motion of Mr. *Barbour*, the senate then determined to insist on the first clause of its amendments; and, on motion of Mr. *Roberts*, it determined in like manner, to insist on the latter clause of its amendments. And the secretary was instructed to inform the house of representatives accordingly.

On those proceedings the editors of the National Intelligencer observe—"The question which has so long been agitated in congress, and throughout the country, approaches the crisis of its decision, as the reader will find by a reference to the proceedings of yesterday in the subsequent columns. Notwithstanding the feeling which but too sensibly prevails, we have yet some hope it will be amicably settled. It is seldom that the senate of the United States is as much agitated as it was yesterday. The subject is now committed to a conference between the two houses of congress. If that conference should not lead to an amicable result, it is much to be feared that the present session will pass over without a decision of 'the distracting question' now depending in congress."

The senate then resumed the consideration of the bill for changing the mode of disposing of the public lands from credit to cash sales.

The amendment moved by Mr. *Edwards* on the 24th inst. being yet under consideration,

A debate arose thereon, in which Messrs. *Otis*, *Noble*, *King* of New York, *Edwards*, *Ruggles*, *Johnson* of Kentucky, *Lowrie*, *Johnson* of Louisiana, *Leake* and *Eaton*, took part.

The question on agreeing to the same was then decided by yeas and nays, as follows:

YEAS.—Messrs. Brown, Edwards, Johnson of Lou. King of Ala. Lloyd, Logan, Noble, Pinkney, Smith, Stokes, Thomas Walker of Ala.—12.

NAYS.—Messrs. Barbour, Burrill, Dana, Dickerson, Eaton, Elliot, Gaillard, Horsey, Hunter, King of N. Y. Lanman, Leake, Lowrie, Macon, Mellen, Morrill, Otis, Palmer, Parrott, Pleasants, Roberts, Ruggles, Sandford, Taylor, Tichenor, Trimble, Van Dyke, Williams of Geo. Williams of Miss. Williams of Ten. Wilson.—31.

So the amendment was disagreed to.

Other proceedings were had on the bill not necessary to notice just now—and without any thing being definitively done, the subject was postponed until Friday.

The bill for the establishment of an uniform system of bankruptcy was taken up, and was postponed to and made the order of the day for Monday next.

The bill for the relief of the officers and volunteers engaged in the late campaign against the Seminole Indians was taken up. Mr. *Eaton* commenced some explanations respecting it: but the senate appeared too much absorbed in the affair of the Maine and Missouri bill to give attention to it: on motion of Mr. *Eaton*, the further consideration of the subject was postponed.

The senate was about to adjourn, when the clerk of the house of representatives presented himself at the door, with a message, that the house of representatives had insisted on their disagreement to

the amendments of the senate to the Maine bill. [See above.]

Mr. *Thomas* then moved that a committee of conference be appointed, to confer with the house of representatives on the subject.

Hereupon a warm debate took place.—Mr. *King*, of Alabama, and Mr. *Smith*, were in favor of adherence, which forecloses conference: Mr. *King*, of New York, spoke in explanation: and Messrs. *Barbour*, *Thomas*, *Johnson*, of Kentucky, *Lowrie*, *Morrill*, *Dana*, *Eaton*, *Macon* and *Mellen*, successively supported the conference.

The debate resulted in this: that a motion for deferring the question was negatived, and the senate voted, not without opposition but without dividing, to request a conference with the house of representatives.

The senate then balloted for managers thereof on their part: and Mr. *Thomas*, Mr. *Pinkney*, and Mr. *Barbour* were duly elected:

And the senate adjourned.

February 29. The unfavorable report in the case of Robert Newsum, (praying a pension on account of disability incurred while laboring in a United States' navy yard,) was taken up and agreed to.

The resolution moved by Mr. *Lloyd*, for an enquiry into the expediency of making appropriations of public land for the support of literary institutions in the old states as well as in the new, was taken up and agreed to.

The bill respecting licenses to trade with the Indians was considered, and ordered to be engrossed for a third reading. This bill provides, that licenses shall be granted only to citizens of the United States, who shall give heavy bonds for the performance of certain conditions prescribed, with a power in the president to recal the same, &c. and any person trading without such license shall forfeit all his merchandize, and be liable to a heavy fine and imprisonment. [Such a law as this is much wanted, and we hope it will be rigidly enforced, to preserve the peace of our frontiers through the intrigues of British traders, and prevent the impositions too much practised upon the Indians by our own.]

The bill from the house of representatives to continue in force for one year the act for establishing trading houses with the Indian tribes, was ordered to a third reading, and was read a third time accordingly, and finally passed.

March, 1. A resolution, yesterday submitted by Mr. *Noble*, was taken up, and modified, to read as follows:

Resolved, That the secretary of the treasury, be directed to lay before the senate a statement exhibiting the amount of the two percent fund, arising from the sale of the public lands, lying within the state of Indiana, within the state of Ohio, and within the state of Illinois, and also the amount of said fund arising from the sale of public lands within the state of Illinois, which was reserved for the purpose of making roads leading to the states, and to be applied under the direction of congress.

After some explanatory remarks from Mr. *Logan*, the resolution was agreed to.

Mr. *Trimble* submitted for consideration the following resolution:

Resolved, That the committee on Indian affairs, be instructed to enquire into the expediency of providing for the abolition of the system of Indian trade, established by a law of the second of March 1811, which has been continued in force until the 3d of March 1821, and for the disposition of the goods and public property, and the payment of the proceeds into the treasury.

The resolve lies on the table.

The engrossed bill "for the better regulation of trade with the Indian tribes," was read a third time and passed.

The engrossed bills for the relief of Labedoyere de Kermion; for the relief of Joseph McNeil; for the relief of B. Duvergne; for the relief of Robert Purdy, were severally read a third time, passed, and sent to the house of representatives.

The engrossed bill for altering the place of holding the federal courts in the state of Ohio; and the engrossed bill to amend the post office, law so as to extend to the president pro tem. of the senate the same privilege of franking, as belongs by law, to the vice president of the United States, were read a third time and passed.

The senate then proceeded to the consideration of the bill, which had been made the order of the day for this day, to change the mode of disposing of the public lands.

Mr. Barbour said that, under existing circumstances with respect to another question, (the Missouri question) he did not feel in the humor at present to legislate on this bill, which, at any other moment, he should have regarded as a very important one. Unless something should be done on the other subject to which he had referred, he, for one, was willing, after passing the annual appropriation law, that congress should return at once to their constituents and take their sense on the course pursued by congress.

Mr. Otis said, if it was understood that no business was to be done until the other business referred to came to a consummation, the senate might as well adjourn to-day without attempting to take up any business.

The bill extending the time of payment to debtors for the public lands, and to defer the forfeiture thereof for non-payment, came up next in order.

After several members had spoke on the subject,

Mr. Trimble moved to lay this bill on the table, with a view to a reconsideration of the postponement of the cash sales bill.

The motion was negatived, 19 votes to 17.

The question on postponing the indulgence bill to Monday, was then decided in the affirmative—17 to 14.

The senate spent some time in consideration of executive business.

HOUSE OF REPRESENTATIVES.

Erratum. In the brief sketch of Mr. Randolph's remarks—page 455, last vol. for "curia," read *curias*.

Thursday, Feb. 24. Mr. Meigs made a motion that the journal of the house should be amended so as to place his name in the affirmative on the vote taken yesterday, upon disagreeing with the senate in their amendment connecting Missouri with Maine, the same having been erroneously stated in the journal (and of course in this paper) the other way. But the motion was declared not to be in order, as the yeas and nays cannot be altered, after they have been once recorded.

The speaker laid before the house, a report from the secretary of the treasury made in obedience to a resolution of the house of representatives of the 1st of March 1819, "directing him to transmit to congress at an early period in the next session, a general statement of the condition of the bank of the United States, and its offices, similar to the return made to him by the bank: and a statement exhibiting as nearly as may be practicable, the amount of capital invested in the different

chartered banks in the several states, and the district of Columbia; the amount of notes issued and in circulation; the public and private deposits in them; the amount of loans and discounts made by them and remaining unpaid, and the total quantity of specie they possess; and also, to report such measures as, in his opinion, may be expedient to procure and retain a sufficient quantity of gold and silver coin in the United States, or to supply a circulating medium, in place of specie, adapted to the exigencies of the country and within the power of the government; which was ordered to lie on the table.

The speaker also laid before the house a letter from the secretary of war, enclosing a report of the third auditor of the treasury and of the commissary general of subsistence, in relation to "the expense of furnishing the army with rations for one year ending on the 14th of April 1818, exhibiting the average cost per ration, and also the average cost per ration for one year, under the provisions of the act of the 14th April 1818, entitled an act to regulate the staff of the army," rendered in obedience to a resolution of this house of the 17th day of December last: which was ordered to lie on the table.

Mr. Lowndes from the committee of foreign relations, reported a bill designating the ports within which only foreign armed vessels shall be permitted to enter; which was twice read.

Mr. Storrs, from the committee to whom was referred the petition of the Muliheconnuck, or Stockbridge nation of Indians; made a report thereon, accompanied by a bill confirming the title of Mohican, or Stockbridge nation of indians to certain lands; which was twice read and committed.

On motion of Mr. Strother, it was

Resolved, That a committee be appointed to enquire into the circumstances under which powder and lead have been loaned by the war department, or by any of the officers of the United States' army, to certain individuals; and into the causes and extent of delinquencies in the paymasters' and quartermasters' departments; and that they be authorized to report by bill or otherwise.

Mr. Randolph rose to make a motion; which, he said, he should very much prefer to have been made by any other member than himself, but which he felt it to be his duty to bring forward; and he trusted that, whatever others might think, or however others might act, he should never feel a disposition to shrink from the discharge of his duty. It was impossible, Mr. R. continued, for any man to see what was going on here—abuse heaped upon abuse, like Pelion upon Ossa, until it was impossible to tell where it would end—it threatened to reach the skies. This house, he said, was emphatically entrusted with the purse-strings of the nation. He hoped it would not prove to be the case that the people had, according to a well known maxim of law, trusted the lamb to the custody of the wolf. He had said, this house was entrusted with the purse-strings of the nation; and it behoved it, as the grand inquest of the nation, also, to enquire into abuses of every description, but first to pluck the beam from its own eye, before it attempted to take out the moat from its brother's eye.

He then proceeded to say, in his usual manner, that since the agitation of the Missouri question, he could not sleep o' nights, and in consequence of his early risings, thought he had discovered something like peculation, or abuses, in a small way, in the contingent expenses of the house. That as part of his own equipment, he had for the first time in

20 years, received at this session, a present of a knife, which he should carry home as a *spolia optima*. He went on to say, he despaired of seeing any man elected president whose conduct he should entirely approve—that he should never be in favor at court, as he had, somehow, as great alacrity at getting into a minority, as honest Jack Falstaff had at sinking, &c. He said that when he was a member of the committee of ways and means, he was incessantly pestered with accounts for wood and candles and molasses and water, and people were always complaining of not being paid by the clerk, though he showed their receipts in full—which it seemed he compelled them to give that they might obtain the contract and then he speculated on the money, or made the debt a private affair. Mr. R. said he cast no imputation on the present clerk—the abuse he referred to was not under his controul. He then moved the following resolution:

Ordered, That the clerk do prepare, and lay before this house, a statement of the annual amount of the contingent expenses thereof, from the commencement of the present government, to the 30th of November last: distinguishing the expense of stationary, printing, fuel, lights, furniture, attendants, and their assistants; with a statement of the amount and nature of the perquisites of each.

Mr. R. wished the accounts of the present session kept separate, for they would, he thought, constitute a curiosity, a volume in themselves.

The house having resolved itself into a committee of the whole, Mr. *Storrs* in the chair, on the Missouri bill;

Mr. *Fuller*, of Massachusetts, took the floor, and spoke about two hours in support of the proposed restriction.

Mr. *Baldwin*, of Pennsylvania, next addressed the committee, and spoke also about two hours against the constitutional right of congress to impose the restriction; and, incidentally, in favor of the right of congress to restrict slavery in the territories of the United States.

The committee then rose.

Friday, Feb. 25. The Speaker laid before the house a letter from the secretary of war, transmitting a report from the engineer's department, respecting the rules for the government of the military academy, &c. in obedience to a resolution of this house of the 26th of Feb. 1819.

Other business of no importance being transacted,

The speaker announced the order of the day, on the Missouri bill.

Mr. *Hill* of Massachusetts, rose, and said he did not now wish to consume the time of the house upon a subject, the progress of which seemed to be stamped with all the marks of eternity. But he rose merely to move that the committee of the whole be discharged from any further consideration of the Missouri bill.

Withdrawn at the suggestion of Mr. *Lowndes*, for the present.

The house then again went into a committee of the whole, Mr. *Cobb*, in the chair on this bill.

Mr. *Erwin*, of South Carolina, took the floor, and spoke at considerable length against the restriction.

Mr. *Scott*, of Missouri, next rose, and spoke more than an hour on the same side.

Mr. *Meigs*, of New York, spoke some time also against the restriction.

Mr. *Adams*, of Massachusetts, made a few remarks in favor of the restriction; and

Mr. *Tucker*, of Va. spoke more than an hour a-

gainst the amendment. When he had concluded, (about 4 o'clock,)

Mr. *Smith*, of Maryland, rose and observed, that a large number of his constituents had expressed their opinion in opposition to the opinion which he was known to entertain on this subject, and it might be presumed that he desired to deliver his reasons for the vote which he should give. But Mr. S. said the public business was suffering by the protraction of the debate; the members are weary of it; every one's opinion was made up on it: and he was unwilling to consume the time of the committee by any remarks on the question. He therefore forebore, and he hoped the question would be taken.

Mr. *Walker*, of North Carolina, rose then to move that the committee should rise; but the question was called for so clamorously and so perseveringly, that Mr. W. could proceed no farther than to move that the committee rise.

The committee refused to rise, by almost a unanimous vote.

Mr. *Beecher*, of Ohio, then stated that it was his wish to be heard on the question; and, if not allowed an opportunity of speaking in committee, he should do so in the house, unless prevented by force; and he moved that the committee should then rise.

This motion was lost by a very large majority.

Mr. *Smith*, of North Carolina, said the course he was about to propose was unusual and perhaps without precedent—that was to call the previous question in committee of the whole; but, as he conceived the motion would be sustained by the rules and orders of the house, and to put an end to any further debate on the amendment, he moved for the previous question thereon.

The chair conceived that the motion was not in order.

Mr. *Randolph* asked leave of the mover of this course, to suggest to him a less invidious mode of getting at his object. If the committee should consent to rise, and the house would refuse it leave to sit again, the question would then be in the house; and that was the only way, Mr. R. said, that the committee, worn down by what was called a discussion, could be relieved from it. He hoped, wherever possible, that the previous question should be dispensed with; but if some mode were not devised of getting clear of this debate, he believed he should become reconciled to it—though a man convinced against his will, was of the same opinion still, &c.

Mr. *Clay* (speaker) observed that the previous question would not effect the object of the gentleman who moved it; because its effect would be to put aside the question on the amendment altogether; and though that might be a very happy effect, yet it was not, he presumed, desired by the committee, and he thought it fair to warn gentlemen of an effect that he supposed was not anticipated.

Mr. *Smith* of North Carolina, thought he had felt himself at an entire liberty to make a motion, intended to stop the debate, inasmuch as he had not troubled the committee with a speech on the subject: yet as the effect would be, what had been stated by the speaker, he would withdraw his motion.

The question was then taken on Mr. Taylor's proposed restriction, and agreed to, by from 12 to 18 votes, [The reporter was not able to ascertain the precise number.]

Mr. *Taylor* then moved that the committee rise,

as he presumed it was not prepared to go into the various details of the bill this evening, several of which were important, and would give rise to many questions.

This motion was opposed by Mr. Scott and Mr. Strother, and supported by Mr. Sergeant. It, however, finally prevailed, and

The committee obtained leave—ayes 90—to sit again; and, about 5 o'clock,

The house adjourned.

Saturday, Feb. 26. Mr. Smyth of Virginia from the committee on military affairs, to whom was referred an enquiry into the expediency, of establishing an additional national armory, made a report unfavorable to the establishment of an additional armory: which report was, on motion of Mr. Anderson laid on the table.

The order of the day being announced from the chair;—being the unfinished business of yesterday,

Mr. Hill renewed the motion which he made yesterday, that the committee of the whole house be discharged from the further consideration of the Missouri bill; but the motion was not sustained by a majority of the house.

The house then again resolved itself into a committee of the whole, Mr. Cobb in the chair, on the said bill.

Mr. Storrs, of New York, moved to amend the bill, by inserting in the 4th section, (immediately preceding the restrictive amendment adopted yesterday,) the following proviso:

That in all that tract of country ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, excepting only, such part thereof, as is included within the limits of the state contemplated by this act, there shall be neither slavery nor involuntary servitude, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: *Provided always*, That any person escaping into the same, from whom labor or service is lawfully claimed in any state or territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

Mr. Storrs supported his amendment in a speech of considerable length—embracing, incidentally, in the range of his remarks, an examination of the right of imposing the slavery restriction on Missouri.

Mr. Randolph next rose, and spoke more than four hours, against the amendment, and on the topics connected with it, the subject of restriction, &c. When he had concluded, (about half past four o'clock.)

An ineffectual motion was made for the committee to rise.

Mr. Beecher, of Ohio, then took the floor, and proceeded a short time in a speech on the subject, when he gave way for a motion for the committee to rise, which prevailed, and about 5 o'clock

The house adjourned.

Monday, Feb. 28. Several reports were received—after which

Mr. Randolph, from the select committee appointed on that subject, reported a bill for the relief of the family of the late Oliver Hazard Perry, and for the education of his children at the public charge; which was twice read and committed.

Mr. Storrs, from the select committee appointed on his resolution of the 10th of Dec. last, to enquire and report, whether any of the public moneys, appropriated by congress for the pay and subsistence of the regular army of the United States, since the 4th of March, 1815, have been applied to the sup-

port of any army or detachment of troops raised without the consent of this house, or the authority of congress; made a report thereon.

This report is of very considerable length, and accompanied by voluminous illustrating and supporting statements. The report having been read through:

Mr. Reid, of Geo. moved, that 5000 copies thereof be printed for the use of the house; in support of which he remarked, that this was a government depending, in a peculiar manner, on the strength of public opinion; that the house would recollect that the debate on the Seminole war had gone before the public; that a report of a committee of the senate, at the last session, had also gone forth, and that a vindication of the president of the U. States and his commanding generals, prepared by an unknown hand, had been put into circulation, and found its way even to their tables, and that, without any prejudices of any description to gratify, he wished all the facts and evidence (now laid before the house by this report) to be as extensively spread before the people as the documents, &c. to which he had alluded.

The motion was opposed by Mr. Strother at some length; who argued that it would be an unnecessary expense, as the report would probably receive a general circulation through the public papers; and that the usual number (six hundred copies) would be sufficient for the use of the members, &c. The usual number was ordered to be printed.

After other business, which will be noticed in its progress—

A message was received from the senate, by their secretary, announcing that the senate *insist* on their amendments to the bill for the admission of Maine into the union, which had been disagreed to by this house.

Mr. Taylor moved that the house should *insist* on their disagreement to the amendments. Mr. Lowndes moved that the amendments should lie on the table; negatived, ayes 74, noes 85. Mr. Culpepper, after some remarks to shew the propriety and necessity of mutual concession, moved to postpone the subject till to-morrow—negatived without a count.

The main question then recurring, it was so divided, on motion of Mr. Butler, of Louisiana, as to be first taken on insisting on the disagreement of this house, to the first eight sections, (connecting with the Maine bill provisions for the admission of Missouri) and was decided by yeas and nays, as follows:

For insisting on the disagreement of this house—Messrs. Adams, Allen, of N. Y. Bateman, Beecher, Boden, Brush, Buffum, Butler, of N. H. Campbell, Case, Clagett, Cook, Crafts, Cushman, Darling, ton, Deunison, Dewitt, Dickinson, Dove, Eddy, Edwards, of Conn. Edwards, of Penn. Fay, Folger, Foot, Ford, Forrest, Fuller, Gross, of N. Y. Gross, of Penn. Guyon, Hackley, Hall, of N. Y. Hazard, Hemphill, Hendricks, Herrick, Hibbard, Hiester, Hill, Holmes, Hostetter, Kendall, Kinsley, Lathrop, Lincoln, Linn, Livermore, Lyman, Macley, Mallory, Marchand, Mason, Meek, Meigs, R. Moore, S. Moore, Monell, Morton, Mosley, Murray, Nelson, Mass. Nelson, of Va. Parker, of Mass. Patterson, Phelps, Philson, Pitcher, Plumer, Rich, Richards, Richmond, Rogers, Ross, Rust, Sampson, Sergeant, Silbush, Sloan, Smith, of N. J. Southard, Stevens, Storrs, Street, Strong, of Vt. Strong, N. Y. Tarr, Taylor, Tomlinson, Tompkins, Tracy, Upham, Van Rensselaer, Wallace, Wendover, Whitman, Wood—57.

Against insisting on the disagreement—Messrs. Abbot, Alexander, Allen, of Tenn. Anderson, Archer, of Md. Arch r, of Va. Baldwin, Ball, Barbour, Bloomfield, Brevard, Brown, Bryn, Burton, Burwell, Butler, of Lou. Cannon, Cobb, Cooke, Crawford, Culbreth, Culpepper, Cuthbert, Davidson, Earle, Edwards, of N. C. Ervin, Fisher, Floyd, Fullerton, Garnett, Hardin, Hooks, Johnson, Jones, of Va. Jones, of Tenn. Kent, Little, Lowndes, M'Coy, M'Cready, M'Lean, of Ken. Mercer, Metcalf, Neal, Newton, Overstreet, Parker, of Va. Pinckney, Findall, Quarles, Randolph, Rankin, Reed, Rhea, Ringgold, Robertson, Settle, Shaw, Simkins, Slocomb, Smith of Md. B. Smith, of Va. A. Smyth, of Va. Smith, of N. C. Strother, Swearingum, Terrill, Trimble, Tucker, of Va. Tucker, of S. C. Tyler, Walker, N. C. Wardfield, Williams, of Va. Williams, N. C.—76.

The question was then stated on insisting on the disagreement of the house to the remaining amend-

ments of the senate, (being the 9th section, embracing the compromise principle.)

Mr. *Lowndes* wished to remark, before this question was taken, that, although he should always be ready to vote for such a proposition, substantially, when presented to him, combined with the free admission of Missouri; yet, as the amendment relative to Missouri had been disagreed to, it would be useless to retain this amendment in connection with the Maine bill alone, and, as he should therefore, now vote against retaining it, he wished his motive to be understood.

Mr. *McCrary* made a remark or two to the same effect; when

The question was taken on insisting on the disagreement of the house to the 9th section of the senate's amendments and carried, by yeas and nays: as follows:

For insisting on the disagreement—Messrs. Abbot, Adams, Alexander, Allen, Mass. Allen, N. Y. Allen, Tenn. Anderson, Archer, Md. Archer, Va. Ball, Barbours, Bateman, Beecher, Boles, Brerard, Brown, Brush, Bryan, Bufum, Burton, Burwell, Butler, N.H. Butler, Lou. Campbell, Cannon, Case, Clagett, Clark, Cobb, Cook, Crafts, Cuthbreth, Cushman, Cuthbert, Darlington, Davidson, Denison, Dewitt Dickinson, Dowse, Earle, Eddy, Edwards, Cou. Edwards, Penn. Edwards, N. C. Ervin, Fay, Fisher, Floyd, Folger, Ford, Fort, Forrest, Fuller, Gornett, Gross, N. Y. Gross, Pann-Guyon, Hackley, Hall, N.Y. Hardin, Hazard, Hemphill, Hendricks, Herrick, Hildsham, Hiestler, Hill, Holmes, Hooks, Hostetter, Johnson, Jones, Va. Jones, Tenn. Kendall, Kent, Kinsey, Kinsley, Lincoln, Linn, Lowndes, Lyman, Macley, McCoy, McCreary, McLean, Ky. Mallary, Marchand, Mason, Meigs, Metcalf, R. Moore, S. Moore, Monell, Morton, Mosely, Murray, Neale, Nelson, Mass. Nelson, Va. Newton, Overstreet, Parker, Mass. Parker, Va. Patterson, Phelps, Philson, Pinckney, Pinalall, Pitcher, Plumer, Quarles, Randolph, Rankin, Reed, Rhea, Rich, Richards, Richmond, Ringgold, Robinson, Rogers, Ross, Russ, Sampson, Sergeant, Settle, Silabee, Simkins, Slacumh, R. Smith, Va. A. Smyth, Va. Smith, N.C. Southard, Stevens, Storrs, Street, Strong, N.Y. Strother, Swearingen, Taylor, Terrell, Tomlinson, Tompkins, Tracy, Trimble, Tucker, Va. Tucker, S. C. Tyler, Upham, Van Rensselaer, Walker, N. C. Wallace, Warfield, Wendover, Whitman, Williams, Va. Williams, N. C. Wood—160.

Against insisting on the disagreement of the house—Messrs. Baldwin, Bloomfield, Coeke, Cnlepper, Fullerton, Lachrop, Little, Mercer, Shaw, Sloan, Smith, N. J. Smith, Md. Strong, Vt. Tarr—14.

So the house insisted on its disagreement to the whole of the senate's amendments to the Maine bill; and the clerk was directed to acquaint the senate therewith.

The house then again went into committee of the whole, Mr. *Cobb* in the chair, on the Missouri bill—Mr. *Storrs's* proposition to insert therein the clause to exclude slavery from the territory of the United States west of the Mississippi and north of 36° 30' north latitude, (excepting the proposed state of Missouri,) being still under consideration,

Mr. *Beecher* resumed his speech on the right of congress to impose the restriction, as to slavery. Mr. *Randolph* again spoke on the opposite side and in reply to Mr. *Beecher*. Mr. *Mallary* expressed himself in favor of the accommodation proposed in the amendment, and Mr. *Storrs* also supported it. Mr. *Livermore* opposed it. Mr. *Baldwin* was in favor of the amendment, and replied to a point or two of Mr. *Beecher's* remarks. Finally, Mr. *Storrs's* proposition was disagreed to—for it 33.

The committee then proceeded to fill up the details of the bill;

Mr. *Taylor* moved an amendment thereto, going to strike out all that part providing the apportionment of delegates to the convention among the several counties, and substituting therefor, in substance, a provision leaving the apportionment to the general assembly of the territory, according to the free white population thereof.

After considerable discussion, this amendment was negatived, by a large majority. On filling the blanks of the bill, according to the motions of Mr. *Scott*, of Missouri—

Mr. *Taylor* moved an amendment [one of which he had offered on the first day that the bill was taken up, and then withdrawn] by adding to the last section the following clause: "And if the same [the constitution] shall be approved by congress at their next session after the receipt thereof, the said territory shall be admitted into the union, as a state upon the same footing as the original states.

Debate being had, this motion was lost—ayes 75, noes 84.

Mr. *Storrs* then offered an amendment, in effect to transfer the restrictive amendment already adopted to the 6th section of the bill, (which embraces those provisions in the nature of the compact,) and so modify it as to make it a recommendation for the free acceptance or rejection of the convention of Missouri, as an article of compact, to exclude slavery, instead of enjoining it as an absolute condition of their admission.

Mr. *Clay* seconded the motion, and, with the mover, zealously urged the adoption of the amendment. It was opposed as zealously by Messrs. *Taylor*, *Sergeant*, and *Gross*, of N. York.

Mr. *Storrs* withdrew his motion—Mr. *Clay* renewed it—two hours debate followed, maintained by several speakers. It was finally negatived, ayes 82 noes 92.

No other amendment being offered, about half past nine o'clock, the committee (having rejected several motions, in the course of the evening, to rise and report progress) rose and reported the bill to the house.

Mr. *Lowndes* laid the following proposition on the table, as an amendment of the rules and orders of the house:

And if any member shall not confine himself to the question under debate, and shall be called to order, if the decision of the speaker of the house upon appeal, be against the member thus deviating from the question, such member shall not be, at that time, permitted to proceed, without the special leave of the house.

And the house adjourned.

Tuesday, Feb. 9. Considerable time was spent on the proposition to amend the rules of the house offered yesterday by Mr. *Lowndes*—finally, it was postponed until to-morrow.

The speaker laid before the house a letter from the secretary of the treasury, transmitting an abstract of the official emoluments and expenditures of the officers of the customs, for the year 1819; rendered in obedience to the provisions of a law of congress; which was ordered to lie on the table.

The house then proceeded to consider a message received yesterday from the senate, requesting of this house a conference on the disagreeing votes of the two houses on the amendments of the senate to the Maine bill.

On motion of Mr. *Holmes*, the conference was agreed to; and a committee of five members ordered, as the managers on the part of this house. Messrs. *Holmes*, *Taylor*, *Lowndes*, *Parker*, of Mass. and *Kinsey*, compose the committee.

The house next took up the amendments reported by the committee of the whole to the Missouri bill

The question was taken on all the amendments to the bill, with the exception of the restriction moved in committee, by Mr. *Taylor*, and were agreed to.

The question then recurring on the restrictive amendment—

Mr. *Storrs* moved to amend that amendment by striking out the words "shall ordain and establish."

and inserting therein other words, so as to make the provision for excluding slavery a proposition to the convention of Missouri, as an article of compact between the United States and the said state, for their free acceptance or rejection—instead of a positive injunction.

Debate followed, by Messrs. *Rhea, Walker* of N. C. *Johnson* of Va. *Nelson, Randolph, Smith* of Md. *Forrest* and *Parker*. The amendment offered by Mr. Storrs was lost—yeas 82, noes 98.

Mr. *Scott* then offered an amendment to the restrictive amendment, having for its object, in substance, to prevent the operation of the restriction either on the slaves now in Missouri, or on their increase.

This proposition was advocated by Mr. *Campbell*, of Ohio; but

Mr. *Scott*, at the suggestion of several of his friends, withdrew his amendment.

The question was then taken on concurring in the restrictive amendment, adopted in committee of the whole, on the motion of Mr. *Taylor*, and decided in the affirmative,—yeas 94, nays 86.

Mr. *Taylor* then renewed a motion which he had made unsuccessfully in committee, to amend the last section of the bill, by striking out the words "*and the said state, when formed, shall be admitted into the union on an equal footing with the original states,*" and inserting in lieu thereof the following; "and if the same [constitution] shall be approved by congress, the said territory shall be admitted into the union as a state, upon an equal footing with the original states."

This question was briefly supported by the mover, and was opposed by Messrs. *Scott, Lowndes, Mercer, Floyd* and *Hendricks*; and

The question being taken thereon, it was decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. *Adams, Allen, Mass. Allen, N. Y. Buffum, Butler, N. H. Clark, Crafts, Cushman, Darlington, Dennison, Dowse, Edwards, Conn. Edwards, Penn. Fay, Folger, Forrest, Fuller, Guyon, Hackley, Hemphill, Herrick, Hostetter, Kinsley, Lathrop, Lyman, Maclay, Marchand, Meech, Morton, Murray, Patterson, Phelps, Philson, Rich, Richards, Richmond, Rogers, Ross, Sergeant, Storrs, Strong, Vt. Strong, N. Y. Tarr, Taylor, Tracy, Van Rensselaer, Wallace, Wendover, Wood*—49.

NAYS—125.

The question recurring, on ordering the bill to be engrossed and read a third time:

Mr. *Storrs* moved to amend the bill, by adding thereto a new section, providing for the exclusion of slavery from all the territories of the United States west of the Mississippi and north of 36 deg. 30 min. of north latitude, excepting the proposed state of Missouri—the amendment commonly called the *compromise*.)

Another debate took place—finally Mr. *Storrs*, to avoid the long discussion which the proposition might create, withdrew it.

The question was then, at length, taken on ordering the bill to be engrossed and read a third time, and decided in the affirmative, by yeas and nays, as follows:

YEAS—Messrs.

Adams	Buffum	Cushman
Allen, N. Y.	Butler, N. H.	Darlington
Anderson	Campbell	Dennison
Baker	Case	Dewit
Bateman	Claggett	Dickinson
Beecher	Clark	Dowse
Boden	Cook	Eddy
Brush	Crafts	Edwards, Con.

Edwards, Penn.	Linn	Ross
Fay	Lyman	Russ
Folger	Maclay	Sampson
Ford	Mallory	Sergeant
Forrest	Marchand	Silsbee
Fuller	Meech	Sloan
Gross, N. Y.	R. Moore	Smith, N. J.
Gross, Penn.	S. Moore	Southard
Guyon	Monell	Stevens
Hackley	Morton	Street
Hall, N. Y.	Mosley	Strong, Vt.
Hemphill	Murray	Strong, N. Y.
Hendricks	Nelson, Mass.	Tarr
Herrick	Parker, Mass.	Taylor
Hibshman	Patterson	Tomlinson
Hiester	Phelps	Tompkins
Hill	Philson	Tracy
Hostetter	Pitcher	Uplam
Kendall	Plumer	Van Rensselaer
Kinsey	Rich	Wallace
Kinsley	Richards	Wendover
Lathrop	Richmond	Whitman
Lincoln	Rogers	Wood—93.

NAYS—Messrs.

Abbot	Floyd	Pinckney
Alexander	Foot	Pindall
Allen, Tenn.	Fullerton	Quarles
Archer, Md.	Garnett	Randolph
Archer, Va.	Hall, N. C.	Rankin
Baldwin	Hardin	Reed
Ball	Holmes	Rhea
Barbour	Hooks	Ringgold
Bloomfield	Johnson	Robertson
Brevard	Jones, Va.	Settle
Brown	Jones, Tenn.	Shaw
Bryan	Kent	Simpkins
Burton	Little	Slocumb
Burwell	Livermore	Smith, Md.
Butler, Lou.	Lowndes	B. Smith, Va.
Cannon	McCoy	A. Smyth, Va.
Cobb	McCreary	Smith, N. C.
Cocke	McLane, Del.	Storrs
Crawford	McLean, Ken.	Strother
Crowell	Mason	Swearngen
Culbreth	Meigs	Trimble
Culpepper	Mercer	Tucker, Va.
Cuthbert	Metcalf	Tucker, S. C.
Davidson	Neale	Tyler
Earle	Nelson, Va.	Walker, N. C.
Edwards, N. C.	Newton	Warfield
Ervin	Overstreet	Williams, Va.
Fisher	Parker, Va.	Williams, N. C. 84

And, a little after 8 o'clock, the house adjourned.

Wednesday, March 1.—Soon after the Speaker had taken the chair,

Mr. *Quarles*, of Kentucky, rose, he said, with feelings which he could not express, and with a melancholy very seldom experienced by him, to announce to the house the distressing intelligence of the death of one of its body: my friend and colleague, major *David Walker*, with christian fortitude, about eight o'clock this morning, exchanged, said Mr. *Quarles*, a world of cares, of toils and difficulties, for I hope, a mansion of bliss.

I offer, said Mr. *Q.* for consideration, resolutions comporting with the wish of the deceased. While living, my colleague, by profession and practice, in private and public life, was a plain unaffected man. He, from education, had an abhorrence of pomp and parade. He desired that the body that was clad with mourning should weep with mental distress. He had seen numerous carriages, filled with persons attending funerals, at this and other places, moving with solemnity to the burial ground, and

returning from it with no evidences of sorrow. And to prevent a similar spectacle, connected with his remains, did he make the request contained in the resolutions I now offer. The representatives from Kentucky, the relatives of the deceased, and also these gentlemen who lived with him, and whose kindness was generously afforded him in his sickness, have been consulted with regard to the propriety of the course which is now proposed, and have approved it. I wish that this body will consider the departure from the usual course of proceeding on former occasions of this kind, as arising from none other than the purest motives—the most sincere respect to our colleague—and in this house, a desire to carry into execution the dying wish of one of its body. I hope that I shall have the kind indulgence of my brother members, in permitting the repeated wishes of my colleague to be carried into effect, conformably to the spirit of the resolutions now proposed.

Mr. Q. then submitted the following resolutions:

Resolved, unanimously, That a committee be appointed to take order for superintending the funeral of David Walker, deceased, late a representative from the state of Kentucky.

Resolved, That the said David Walker having communicated to the speaker of this house, and the Hon. James Barbour, of the senate, shortly before his death, his wish that he might be buried without pomp or parade, attended by a few only of his friends, in compliance with his wish, this house will, on this occasion, not conform to the practice which has heretofore prevailed, of adjourning, to attend the funeral of a deceased member.

Resolved further, That, in conformity with the spirit of the same wish of the deceased, the members of this house will depart from the usage of wearing crape for one month, with the exception of those who may voluntarily choose to conform to said usage.

These resolutions were agreed to, *nem. con.*

Mr. Kent, from the committee on the district of Columbia, made an unfavorable report on the petition of the grand lodge of the district of Columbia, (to be authorised to build a masonic hall by lottery;) which report was read and concurred in.

Mr. Cannon, from the committee on the subject of the militia, reported a bill to establish a uniform mode of discipline and field exercise for the militia of the United States; which was twice read and committed.

The Speaker laid before the house a letter from the secretary of war, communicating the information required by the resolution of the 24th ult. in relation to a loan of gunpowder made to the firm of Stull and Williams.

The Speaker also laid before the house a letter from the secretary of war, communicating the information required by the resolution of the 22d ult. in relation to the contracts heretofore made with James Johnson, Alex. M'Rae, Elias Earle, and Peter Townsend, for the delivery of powder, arms, &c.

These communications were severally read and ordered to lie on the table.

Mr. Whitman submitted the following resolution for consideration:

Resolved, That the committee on naval affairs be instructed to enquire and report to this house what right, if any, commodore Stewart had, by law or otherwise, to require that men, whose term of enlistment expired while on the Mediterranean sta-

tion, should either re-enlist, or forfeit the right "to any claim or provision as distressed seamen, from the consuls of the U. States in Europe;" and what right existed at the departments of the treasury and navy "to refuse remuneration for such claims," as stated in a letter, under date of the 27th January, 1820, addressed by the secretary of the navy to the chairman of the committee of ways and means.

A short debate took place on this resolution, in which it was supported by the mover, and was opposed by Messrs. Smith, of Md. and Trimble; in the conclusion of which Mr. Trimble moved that the resolution be laid on the table for the present; which motion was agreed to.

The engrossed bill to authorise the people of the Missouri territory to form a constitution and state government, and for the admission of such state into the union upon an equal footing with the original states, was read the third time and the question stated, "shall the bill pass?"

Mr. Randolph rose and spoke more than three hours against the passage of the bill, on the ground of the unconstitutionality and unjust restriction which it imposes on the people of Missouri as a condition of their admission into the union, &c.—When Mr. R. had concluded,

Mr. Holmes called for the *previous question*.

The call being sustained by the house,

The previous question was accordingly stated "Shall the main question be now put?" which being agreed to,

The question was taken on passing the bill, and decided in the affirmative by yeas and nays, as follows:

For the passage of the bill,	91
Against it.	82

So the bill was passed and sent to the senate for concurrence; and

The house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate. After other business, the Missouri bill, so long debated in the house of representatives and containing the restriction as to slavery, had its first and second reading and was committed immediately.

On motion of Mr. Barbour, the proviso respecting slavery was stricken out without much opposition, as that matter had been settled in the senate.

We cannot give the details at this late hour, nor are they of so much interest now—it finally resulted in adding to this bill the restriction or inhibition of slavery north of 36½ deg. north lat. as originally proposed by Mr. Thomas in the Maine and Missouri bill. After which it was read a third time and sent to the house of representatives.

The house of representatives sat till a late hour—on the question to agree to the amendment of the senate to strike the restriction from the Missouri bill, the vote was

Against the restriction	90
For it	86

Being a majority of four votes against the restriction.

Other proceedings took place, which will be reported hereafter; the result of which is, that the bill for the admission of *Missouri* without restriction, and with the inhibition of slavery in certain territories, *wants only the signature of the president to become a law.*

The bill for the admission of *Maine* will of course pass, without restriction, incumbrance, or amendment.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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Missouri Question.

DEBATE IN THE HOUSE OF REPRESENTATIVES.

Thursday, January 27.—The question before the committee was on agreeing to an amendment, offered by Mr. TAYLOR, of N. Y. to insert after the proviso, that the constitution shall be republican, and not repugnant to the constitution of the U. States, the following:

"And shall ordain and establish that their shall be neither slavery nor involuntary servitude in the said state, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided always, that any person escaping into the same, from whom labor or service is lawfully claimed in any other state, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.— And provided also, that the said provisions shall not be construed to alter the condition or civil rights of any person now held to service or labor in the said territory."

The amendment having been read, and the question stated by Mr. Balfour, the chairman of the committee of the whole—

Mr. TAYLOR, of New York, rose, and spoke as follows:

Mr. Chairman: The bill on your table proposes no act of ordinary legislation. No attribute of sovereignty is more important than that which is exercised in the admission of new parties to the federal compact. It was reserved for America to exhibit, on an extensive scale, an example of independent states uniting for the general welfare, surrendering a part of their sovereignty to a new created government, and authorising it to constitute other states similar to themselves.

By the articles of confederation, the approbation of nine states out of thirteen was necessary to the admission of a new member. In the convention that formed the federal constitution, the subject of admitting new states being under consideration, it was proposed that to such admission the consent of two thirds of the members present in each house of congress should be necessary, and it passed in the affirmative by the votes of all the states present, except Virginia and Maryland. No other question was taken on this single proposition, and why it was not finally incorporated into the constitution does not appear. Congress and three fourths of the states may change the constitution—may establish principles and create powers, injurious to the rights of the other states. The period may arrive when the desire to obtain this constitutional majority in support of some project of ambition, or avarice, may lead to the admission of states favorable to its accomplishment.

This bill acquires additional importance from the consideration that the territory in question is no part of our ancient domain. The power of admitting new states into the union, when adopted by the members of the good old confederation, had to this territory no more application than to Chili or Peru. It was a foreign province—alien to our laws, customs, and institutions. It sustained none of the conflicts of our revolution; it was purchased, not by the blood of our fathers, but with the wealth of

their sons. If we believe that, by a liberal construction of the constitution, the power of admitting this territory as a state is possessed by congress; we remember also that politicians of no humble name have denied its existence; that an amendment to the constitution, for the purpose of obtaining from the states a grant of the power now about to be exercised, was proposed in the United States' senate, by a statesman eminently entitled to the confidence of this nation; that serious doubts on this subject existed in the minds of those who then occupied in our government, its most distinguished stations—doubts, which were finally removed, as other doubts afterwards were, by consideration of imperious necessity.

The magnitude of this question is apparent, by casting your eye on a map of the territory from which it is proposed to carve this state. Who knows its extent? Who has explored its boundaries? The waters of its rivers traverse a country of at least two thousand miles, before they reach the Mississippi. It probably contains more square miles than all the states of the old confederacy. The rule you now apply to Missouri, hereafter will be held applicable to the residue of the territory. The fertility of its soil, the temperature and salubrity of its climate, its majestic rivers, its vegetable production, its mineral wealth; all contribute to confirm our anticipations of its greatness. Under the guidance of a wise policy, it will doubtless exhibit in future time, the fairest specimens of American character, and the most perfect models of free government.—Cold, indeed, must be his heart, who can contemplate without emotion, the high destinies prepared for our posterity in this land of promise—secured to them without possibility of failure, if congress shall be true to their interests, and to our national principles. Probably this very question, certainly the determination of a few congresses, will irrevocably decide, whether this territory is indeed, as it has been pronounced on a former occasion, by a gentleman from Virginia, (Mr. Randolph) the most expensive acquisition made by the United States, or whether its purchase was the wisest expenditure of treasure ever made by any nation.

The importance of this bill is further enhanced by the unparalleled excitement it has produced in every section of the union; an excitement occasioned not by the intrigues of political leaders, but rising from the intrinsic merits of the subject, and manifested by the spontaneous expression of public feeling.

These considerations, and many more which might be mentioned, dictate the propriety of conducting this discussion in that spirit of temperance and fraternal affection, which produced the adoption of our happy constitution, and has exalted this union to its present elevation among the nations of the earth. For myself and for those who unite in support of the proposed amendment, I solemnly disclaim the existence of a feeling unfriendly to our brethren of the south. On what foundation can such a suspicion rest? The states most unanimous in support of this amendment, are those whose attachment to the national administration for the last nineteen years has been the most uniform. In all the

contests of party strife, which during that time have agitated the American family, we have zealously supported their principles and their men. We have stood side by side advocating the same system of national policy, and maintaining the same creed of political faith. We have rejoiced in their fortunes and honored their valor. We still cherish towards them like sentiments of kindness and esteem.

We also disclaim any wish to alter the basis of compromise on which the federal constitution was founded. "The spirit of amity and mutual concession," displayed in its formation and adoption is equally essential to its preservation. The bond has been executed, and we will faithfully perform all its conditions; we yield, without grudging, to the slave holding states all the political advantages they have a right to demand. If the weight and influence of the south be increased by the representation of what they consider a part of their property, we do not wish to diminish them. The right by which this property is held is not derived from the federal constitution; we have neither inclination nor power to interfere with the laws of existing states in this particular. On the contrary, they have not only a right to reclaim their fugitives wherever found, but, in the event of "domestic violence," (which may God in his mercy forever avert) the whole strength of the nation is bound to be exerted, if needful, in reducing it to subjection; while we recognize these obligations, and will never fail to perform them, we ask in return that a system of policy may not be pursued inevitably leading to the imposition of new and unreasonable burdens, which were never contemplated when the compromise was made.

We equally disclaim all desire to restrict the emigration of the south, or to deny to it an equal participation of territorial benefits. We bought the soil and and sovereignty together. We paid for it, not "with the money of Virginia," but with the treasure of the union. When we sell the soil every citizen has an equal right to purchase. The proceeds of sale belong to no state, but to the nation. The powers of sovereignty over the territory ought to be exercised, not on the principles of Virginia or Massachusetts, but upon those of the United States. Is this doctrine unreasonable? Does it justify the imputation charged upon its advocates by a gentleman of Virginia, (Mr. Randolph) that we consider the emigrants of the south "a degraded cast?" In what part of this country have such opinions been maintained? Truth answers no where! Wherever emigrants from the south have settled, they have largely shared in the honors of their adopted states. Distinguished examples might easily be mentioned even in the old states. But in the new, in those especially north of the Ohio, where the principle of the amendment was early established, and has been faithfully maintained, what is the fact? Have southern emigrants been there considered a degraded cast? Whence came their government, judges, and secretaries?—Whence their present senators and representatives in congress? Are not these states, and especially Indiana and Illinois, indebted, not only to the south, but chiefly to one section of the south, for a principal share of that talent and ability which now represent their wishes and interests in our national councils.

Mr. Chairman, cannot the amendment be supported upon principles very different in their character from those with which we are unjustly charged by its enemies? Is it difficult for those who admit

slavery to be a malignant poison, to believe that we consider it essential to the prosperity of Missouri, that this poison shall not be infused into her civil institutions? And are not we as much bound, in our legislation, to regard her welfare as if we were elected by her people? In exercising this trust, we ought to consider not only her present, but her future advantage. The present generation is not alone, nor even principally interested in this question before us. If the age of states were limited to the period of human life, this subject would be comparatively of little importance. But when all the inhabitants who are now engaged in the business of the territory, shall sleep with their fathers, it scarcely will have commenced its political existence. The statesman whose views look not to the future, is unworthy the confidence of the American people. It depends upon us, in no small degree, whether, fifty years hence, the counties of Missouri shall be cultivated like the garden of Pennsylvania, supporting a population of industrious freemen, and contributing largely to the national wealth, or whether they shall exhibit the cheerless spectacle presented to our view in the neighborhood of this district—whether her portionless sons shall hereafter become companions of plantation negroes, or the independent cultivators of their own fields. If improved land be more valuable to a state than barren wastes; if a compact population be more valuable than that which is dispersed; if a population of freemen be better than herds of slaves, we cannot hesitate in deciding what is required by the interest of the territory.

Is not the amendment necessary, also, to the welfare of the middling class of emigrants throughout the union? Can they flourish in a country of slaves? In civilized society, the persons engaged in mechanical arts, constitute no considerable portion of its members. But if information derived from the old slave-holding states be credited, that class of their free population is constantly diminishing.—Those arts have been taught to their slaves, who now perform the business in which free citizens were formerly employed. That part of society whose physical power requires to be strengthened, is thus diminished, and the mechanic is compelled to abandoned his home, and search for employment in a distant land.

The admission of Missouri, without a restriction against slavery, is opposed by a majority of the states in the union. These states, it is true, have parted with the power of legislating on the subject; but, ought not their judgment and wishes to be respected? In business partnerships, what would wisdom dictate in such a case? Although its managers or agents might have power to admit new members, would they be wise to exercise it in a manner hostile to the known opinions of a majority of those both in number and amount, interested in the concern? What consequences would be likely to follow such proceedings, even if the managers should be able, by the means of votes thus acquired, to retain their places and control the interests of the original partners? Could the concern flourish? Would not contention and distrust unavoidably ensue? And is harmony less desirable in a confederacy of states, than in the little concerns of mercantile profit?

The adoption of the amendment is necessary to retard the growth of that slave holding spirit, which appears to gain ground in the United States. Notwithstanding the exertions of abolition and colonization societies, in various parts of the union, it is feared and believed, that public sentiment in the

west is becoming less unfriendly to slavery than it formerly was; no new state has been admitted into the union, since 1791, which has not established slavery by law, unless prohibited by congress. Alabama, the last state admitted, has not left it to the regulation of law, but has protected it by a constitutional provision. In 1792, when Kentucky was admitted; a powerful combination of talent and influence was exerted in favor of the gradual emancipation of her slaves. Who were then the zealous supporters of freedom in Kentucky? The history of their efforts and the cause of their failure, are well known to some honorable members of this committee from that state. Unfortunately their efforts did not succeed. But, even an attempt to stop the progress of slavery in the west, though unsuccessful, was no small honor. It evinced an elevation of mind, a magnanimity of purpose, to which the citizens of no new state have since attained. Some old states have accomplished for themselves, the objects of the Kentucky emancipators; but it has been done in latitudes only where cotton could not be grown, and where the value of slaves was, on that account, comparatively small. The increase of a slave holding spirit appears, not only from these facts, but also from the manner in which the ordinance of 1787 is treated, both in congress and out of it. That ordinance was passed by the unanimous vote of all the states. I have the authority of an honorable representative from Virginia, when I say, that its sixth article which prohibits slavery, was proposed by a delegate of that state. Its enactment was then considered by all the states, as well slave-holding as non-slave-holding, not only within the legitimate powers of congress, but especially recommended by considerations of public policy. Is this sentiment still maintained? No, sir, it is not, public journals, conducted under the patronage of high authority, denounce it; distinguished statesmen in both houses of congress, proclaim it an instance of rank usurpation; and a legislative assembly of one state, at least, have threatened resistance if congress shall apply the same principle to Missouri. It is not to any purpose to declaim against these proceedings; I mention them only in proof of my proposition, that a slave-holding spirit is gaining ground in the union.

But, however necessary the adoption of the amendment may be to promote the welfare of the territory; however calculated to better the condition of mechanics and laborers; however essential to the preservation of existing state rights; and however much demanded to check the pervading influence of slave-holding principles, it ought not to be supported, unless in pursuance of some power clearly delegated to congress. In my judgment, the power may be derived from those grants in the constitution which authorize congress "to dispose of, and make all needful rules and regulations respecting the territory of the United States;" "to admit new states into the union;" and to make all laws necessary and proper to carry that power into effect; and also, from the right of sovereignty over the territory, acquired by the treaty with France, of April 30, 1803.

In regard to the first proposition, we observe, that much confusion and error has arisen, from representing Missouri as now entitled to the rights and prerogatives of a state. Nothing can be more deceptive than arguments founded on that hypothesis. Until it shall have formed a constitution, and that constitution shall have been sanctioned by congress, and an act of admission passed, it remains a territory. It is entitled to no federal pow-

er. This bill proposes, on the conditions therein contained, to grant to the people of a territory permission to do certain acts which they now are unable to perform. The power exercised in fixing these conditions is, that of making rules and regulations respecting the territory—it is legislation for the territory. Several sections of the original bill, as reported by the delegate from Missouri, propose an exercise on the part of congress, of a sovereignty quite as extensive as that claimed by the amendment. The bill denies to the people of the territory the privilege of determining the extent or boundaries of the proposed state. It establishes boundaries widely differing from those petitioned for by the legislature of the territory. It refuses to them an extensive tract of land which they ask to have incorporated into their limits, and gives them a tract which they do not want; and the privilege of admission into the union is granted only on this condition, among others, that the territory shall ratify the boundaries in the bill.

Neither the qualifications of electors to vote for the convention to form the constitution, nor the number of its members, in the appointment of them among the several counties, nor the time of holding the election, nor of the meeting of the convention, are confided to the determination of the territory. Are not some of these regulations very important, calculated to have great influence on the character of the constitution to be formed? But all admit the right of congress to establish them. Certain conditions are also prescribed without assenting to which the territory cannot be admitted as a state, and by assenting to which she will be deprived of powers enjoyed by other states. Among these are the following: "No tax shall be imposed on lands the property of the United States, and in no case shall non-resident proprietors be taxed higher than residents." The right to prescribe these conditions, is not denied.

But, by what provision of the constitution is that right conferred which does not equally apply to the amendment in question? The plain truth is, that a law authorising the people of a territory to form a constitution and state government, partakes of the nature of propositions to form with them a treaty or compact. The citizens of Missouri have certain rights, of which congress cannot deprive them. The following are examples: a right of protection in the free enjoyment of their liberty, property, and religion; a right of trial by jury; of the writ of habeas corpus; of freedom of speech and a free press; of petitioning government for a redress of grievances; of keeping and bearing arms; of security in their persons, houses, papers and effects, against unreasonable searches and seizures; and many more that might be mentioned. Possessing these rights of which we cannot deprive them, they petition for a grant of others. In deciding on their application, we are bound to consider the subject in relation to the general welfare, embracing that of the particular territory. We grant the application upon specified conditions, not inconsistent with the principles of the constitution. The people of the territory examine these conditions and decide thereon; if approved, they ratify the treaty, and succeed to its advantages; if rejected, they continue in the enjoyment of all the rights previously possessed. We claim no authority to form a state government for Missouri, to compel her to accept it, and come into the union, but we do claim the right which has ever been exercised, of making her admission depend upon just and reasonable

conditions, in the acceptance or rejection of which she acts with entire freedom.

Congress may admit new states into the union. Congress also may declare war, and may borrow money.—These acts are alike to be performed when required by the general welfare. The constitution imposes upon congress no obligation to admit new states. It permits none to demand admission. It authorises no member of the confederacy to require such admission. The president and senate cannot, by treaty admit a state into the union; nor can they impose on congress an obligation to do it. The admission of Louisiana, which was part of the same territory with Missouri, was not claimed as a matter of right: it was solicited as a favor. The propriety of imposing conditions was not questioned. It was then thought reasonable and constitutional too, that a political as well as every other society, should prescribe the time, manner and conditions of obtaining the privilege of membership. That the power of admitting new states and making the laws necessary and proper therefor give the right for which we contend, according to the plain and natural interpretation of language, appears to me too evident to need further illustration.

By the treaty with France, congress acquired "an incontestable title to the domain and possession of the ceded territory in full sovereignty with all its rights and appurtenances." The only limitation on the exercise of this sovereignty, must be found in the constitution. The sovereignty is general, but must be exerted in a manner consistent with the principles of our national government. It therefore becomes important to ascertain what these principles are, in relation to the amendment on your table. In other words, is the power of holding slaves a federal right? In discussing this question, we ought carefully to distinguish between the principles of the United States' government, and those of particular states. The doctrines of New Hampshire and of Georgia in regard to slavery, are diametrically opposite, and cannot both be the doctrines of the United States. The federal government is as distinct from each of these, as they are from each other. All these rightfully exercise a limited sovereignty in their proper spheres. We further premise, that, in a confederacy like ours, the principles of a dominant state naturally acquire a currency and an artificial value from their connection with honor and power. It is evident enough, that the United States' government does not belong to Virginia, any more than to Ohio. It nevertheless may be quite Virginian. Indeed we were told but a few days since, that we are indebted for the territory in question to the wisdom and to the cash of Virginia. [Mr. Randolph rose and said, that if the gentleman from New York quoted him, he hoped he would not misquote him. He had used neither the word wisdom nor cash.] Mr. Taylor replied, that words were only useful as a means of communicating ideas. The gentleman from Virginia may have used sagacity instead of wisdom, and treasure, wealth or money instead of cash. The gentleman from Virginia shakes his head. I cannot have mistaken the sentiment. His expressions as usual, were very clear and distinct. But it is not material. The political sagacity of Virginia is unimpeached. She has manifested it in many respects, and in none more than in the ability she displays on this floor. She selects for congress her ablest sons. She reposes in them a liberal confidence. While faithful to her interests, she continues them in their employment, thereby enabling them to ho-

nor the nation and serve their state. She instructs them not to waste their strength at home, in petty warfare, in scuffles for office, and in the gratification of private resentments. She points to the prize of high ambition, and bids them secure it. They obey her mandate. If they stumble, she upholds them. If they fall, she raises them. If they wander, she reclaims them. She publishes their virtues, and covers their errors with a mantle of charity. How unlike Virginia in all these respects, to some of her sisters! She has set before them an example, which failing to imitate, their complaints of her influence will remain unavailing. And, is there less danger that the principles of Virginia, in regard to slavery, will acquire popularity, and ultimately pass for those of the nation, because she is wise in her policy, and maintains her consequence in every department of your government? But let us examine what are the principles on which the United States' government is founded. Do they justify slavery? I answer, they do not. Congress, within its sovereignty, has constantly endeavored to prevent the extension of slavery, and has maintained the doctrine "that all men are born equally free." But has disclaimed, and continues to disclaim, any right to enforce this doctrine upon state sovereignties.

The first truth declared by this nation, at the era of its independence, was, "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness."

Are we willing to pronounce this declaration, for the support of which the fathers of our revolution pledged their lives and fortunes, a flagrant falsehood? Was this declaration a solemn mockery? Did such men as Jefferson, Adams, Franklin, Sherman, and Livingston, proclaim to the world, as self-evident truth, doctrines they did not believe? Did they lay the foundation of this infant republic in fraud and hypocrisy? The supposition is incredible. These men composed the committee which reported the declaration of independence. Four of them were delegates from Massachusetts, Pennsylvania, Connecticut, and New York. They expressed the opinions of the states they represented. The sentiments of their chairman on this interesting subject are not contained in the declaration alone. If further evidences be required as to his opinions, it is abundantly furnished in his notes on Virginia. His denunciation of slavery is there expressed in language too distinct to be misunderstood. Its injustice is portrayed in glowing colors, and its evils described with irresistible eloquence. While books are read, or truth revered, his sentiments on this subject will ensure to their author unfading honor.

In 1784, Virginia ceded to the United States her right and title to the northwest territory, on condition "that the states there to be formed, should be admitted members of the federal union, having the same rights of sovereignty, freedom and independence, as the other states." In July, 1787, an ordinance was passed for the government of the territory, by the unanimous vote of all the states, of which the following is an extract: "And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions and governments, which forever hereafter shall be formed in the said territory; to provide also, for the establishment of states and permanent government therein, and for their admission to a share in the federal councils, on an

equal footing with the original states, at as early periods as may be consistent with the general interest: It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original states and the people and states in the said territory, and forever remain unalterable, unless by common consent, to wit."

"Article 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: Provided always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid."

This ordinance was passed for the government, not of a part, but of every foot of the territories of the United States; not extorted by compromise, and considered a hard bargain, but expressive of the spirit of freedom which then prevailed. It is an imperishable monument of glory and renown to its framers. They sacrificed prejudice on the altar of their country. Avarice found no place in their bosoms. Disinterested and magnanimous were their acts, and the blessings of posterity will embalm their memories. Their names will be engraved on columns of marble, and preserved in the legislative hall of every state north-west of the Ohio. No American statesman was then found hardy enough to maintain the anti-republican doctrine, that man cannot be free without possessing a power to enslave his fellow man.

This ordinance is important also in another respect. It shows that, in 1787, Virginia did not consider that the states to which its 6th article should be applied would be deprived of "the same rights of sovereignty, freedom and independence, as the other states." The amendment on your table is copied from that article, and a proviso added to prevent its application to persons now held to service in the territory. The date also of this ordinance is worthy of remark. It was passed in July. The convention which formed the federal constitution was then in session. The members had the ordinance before them. They saw the rules and regulations which congress had established for the government of all the territory of the United States. Judging thereby, they could not have thought it necessary to guard against the extension of slavery by a constitutional prohibition. They, therefore, two months after the passage of the ordinance, confide to congress an unlimited power of making "all needful rules and regulations respecting the territory of the United States."

The ordinance also illustrates the import of the following clause in the constitution: "The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the congress prior to the year 1808; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person." This provision has given great trouble to the opponents of restriction on slavery. The extraordinary constructions to which they have resorted furnish of this fact conclusive evidence. That migration and importation do not mean the same thing is evident, because a tax may be imposed on the latter, but not on the former. Importation implies the bringing into this country from abroad, either by land or by water; migration, the moving within it, from one state or territory to another. This moving may be either voluntary or

by constraint. It applies to all subjects capable of locomotion. Slaves may be said to migrate or move with their masters, as well as soldiers with their officers. The word *migration* was not intended to apply to citizens, because the constitution declares, that "the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states." It therefore must have related to a class of population who were not citizens. A more particular designation cannot be necessary. The power of congress to prohibit the moving of "such persons" into territories and into states which did not think proper to admit them, has never been denied, and, in fact, was rightfully exercised before the year 1808. Some of the instances shall be pointed out before I sit down.

The constitutional provision which requires that persons held to service or labor in one state, and escaping into another, shall be delivered up, gives no sanction to slavery. That provision would have been proper to protect the rights of masters over their apprentices and bound servants, even if slavery did not exist. The constitution was formed, among other objects, for the purpose of "ensuring domestic tranquility." No power to interfere with the laws of an existing state, on the subject of slavery, having been granted to congress, all interference is denied to other states.

In 1789, the first congress met under the constitution, and passed a law recognizing the ordinance of 1787.

In 1790, North Carolina ceded to the United States that part of her territory which now composes the state of Tennessee. Knowing the principles of the United States' government to be hostile to slavery, she made the grant upon express condition, "that no regulation made or to be made by congress should tend to emancipate slaves." Does not this condition most clearly show, not only what North Carolina thought in regard to the power of congress in this particular, but also of the manner in which that power would probably be exercised unless restrained by positive stipulation? It would even seem to have been considered, by the words of the condition, that its introduction was necessary to prevent the then existing laws of the union attaching to the ceded territory, and liberating the slaves therein.

In 1794, fourteen years before congress had power to prohibit the importation of foreign slaves into such states of the union as chose to admit them, an act was passed to prohibit carrying on the slave trade to any foreign place or country. By this act it was declared, "that no citizen or citizens of the United States, or foreigner, or any other person coming into or residing within the same, shall, for himself or any other person whomsoever, either as master, factor, or owner, build, fit, equip, load or otherwise prepare, any ship or vessel within any port or place of the United States; nor shall cause any ship or vessel to sail from any port or place within the same, for the purpose of carrying on any trade or traffic in slaves to any foreign country, or for the purpose of procuring from any foreign kingdom, place or country, the inhabitants of such kingdom, place, or country, to be transported to any foreign country, port or place whatever, to be sold or disposed of as slaves." This act was enforced by very severe penalties. Under its operation the extraordinary spectacle was exhibited of the United States' government inflicting exemplary punishment on its citizens for transporting slaves from Africa to Cuba; but allowing, as lawful commerce, their transportation from Africa to

South Carolina. Congress had power to prohibit the former, and it was exercised. No power existed to prohibit the latter, because the states reserved to themselves this branch of sovereignty until 1808. We saw and deplored the evil, but our hands were tied. It was not suffered to exist a single day after the power of preventing it accrued. Congress enforced the principles of this government, and manifested its devotion to the rights of man, by passing the act of 1794. If slavery be sanctioned by these principles, why was that act passed? It proscribed a profitable commerce; it dried up one source of national wealth; and was unfriendly to the navigating interest. By that commerce no new slaves were introduced into the states; they were carried to foreign countries, where their importation was sanctioned by law, and thereby the balance of trade was rendered more favorable to the United States. Worldly wisdom urged much in its favor; yet, such was our condemnation of this accursed traffic—so hostile to our national principles was it considered to make merchandise of men, that the law was passed with very great unanimity.

In 1798 the Mississippi territory was claimed by the United States, as well as by Georgia. If it belonged to the latter, the power of congress could not be exerted against the importation of slaves, until after the expiration of ten years; but, such was the solicitude of this government to prevent the extension of slavery, that an act was then passed, declaring "that any slave imported into the territory, from without the limits of the United States, should thereupon be entitled to, and receive his or her freedom."

In 1802 congress further enforced the law against the slave trade, by severe penalties, and recognized the prohibitory acts of particular states.

In 1803 Georgia ceded to the United States the Mississippi territory, and, to prevent the application to it of the United States' principles in regard to slavery, the articles of agreement and cession, which provided that the ceded territory should form a state, and be admitted into the union on the conditions of the ordinance of 1787, expressly excepted that article which forbids slavery.

In 1803 Louisiana, including the territory of Missouri, was purchased from France. The third is the only article of the treaty relating to the subject before us. It consists of three parts; first, "The inhabitants of the ceded territory shall be incorporated into the union of the United States."—This provision was to be executed immediately.—It extended to all the inhabitants, wherever resident, and depended on no contingency. Without it they might have continued aliens, and have been treated like the inhabitants of a conquered province. The obligation imposed by this clause, was discharged by congress, in passing the act of 1804, erecting Louisiana into two territories, and providing for the temporary government thereof. By this act they were incorporated into the union, and the laws of the United States were extended to them: they became part of the American family, subject to its rules and regulations, and bound to obey its authority. Their allegiance was transferred from France to the United States; they were obliged to support our constitution and obey our laws; they necessarily acquired some new privileges, and lost some formerly enjoyed: for example, they lost the privilege of employing ships in the slave trade—of buying foreign slaves—of punishing heresy, and, in short, of being governed by the colonial laws of France; and they acquired the

privilege of being governed by the American congress, on principles of freedom. These consequences necessarily followed their incorporation into the union.

The second clause is contingent, and requires that the inhabitants "shall be admitted, as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of the citizens of the United States." The subject matter of this clause is *inhabitants*, not *territory*. In all the cessions of territory previously acquired by congress, a provision had been inserted in the compacts, "that the territory should be formed into a state or states." These compacts had been made by congress, which had power to admit new states into the union. But this treaty was made by the president and senate, who had no such power. It was doubted by many whether, according to the principles of the federal constitution, new states could be erected in this territory: and it was uncertain whether the existing states would so amend the constitution as to confer the power. But if congress had the power, it was uncertain whether, and on what conditions, they would think proper to exercise it; and, until the general welfare of the U. States should, in the opinion of congress, require its exercise, it was not possible for them to be admitted. Moreover, the rights, advantages, and immunities, to the enjoyment of which they are to be admitted, are those of citizens of the U. States. The power of holding slaves is no right, advantage, or immunity, arising from the United States' citizenship. Whatever those rights are, they must be uniform; that is, United States' citizenship confers the same rights in New Hampshire as in Kentucky. If in Kentucky it gives the power of holding slaves, by virtue of it a citizen of the United States may hold slaves in New-Hampshire. The error is in confounding the rights of the U. States' citizenship with those arising under the laws of Kentucky. By the latter an authority to hold slaves exists; by the former it does not. The rights of United States' citizenship are founded on the constitution; they are paramount to, and cannot be taken away or affected by state laws. But the right of holding slaves may be taken away by state laws; therefore it is not a right of the United States' citizenship, and consequently was not guaranteed to the inhabitants of this territory by treaty.

The inhabitants had no right to calculate on a power of holding slaves. Neither the principles of the constitution, nor the practice of the government, justified that expectation. Congress had allowed slavery to exist in no territory where its allowance had not been made by the state ceding it, an express condition of the cession. These inhabitants could not reasonably expect greater rights than were enjoyed by those of the original territory of the United States. They were authorised to expect the privilege of self-government, in the same manner as it had been granted to them; but, like them, they were subject to the determination of congress as to time, manner, boundaries, and every other condition. The third clause of the article provides, "that the inhabitants, in the mean time, shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess." Without stopping to enquire into the general signification of the word *property*, I take it for granted that it does not include the future generations of men who may be born in the territory, and the condition of those now held to service will not be changed by agreeing to the amendment. With this single remark I proceed to observe that the free enjoyment

of property cannot mean an absolute right to use it without control; nor, that the control shall be exercised in the same manner and degree that it had been under the former government. If this were its meaning, and the treaty considered in the nature of a charter of rights to the inhabitants, that may at this time rightfully carry on the slave trade, and do many other acts prohibited by law. But the right granted freely to enjoy their liberty, property, and religion, only requires that they shall be protected by the constitution and laws of the United States, in the same manner as the liberty, property, and religion of other citizens, similarly situated, are protected. It is a protection according to the principles of this, and not of a foreign government.

The act of 1804, to which I have already adverted, strongly illustrates the solicitude of congress to prohibit the extension of slavery, even in the Orleans territory. It forbade the introduction, first, of all foreign slaves; secondly, of all slaves brought into the United States after May 1, 1798, or thereafter to be imported; thirdly, of all other slaves, except by citizens of the United States, removing into the territory for actual settlement, and bona fide owning such slaves. All slaves brought into the territory of Orleans, contrary to these provisions, were entitled to freedom, and penalties were imposed on the importers. Congress could not endure the idea that even New Orleans should become a market for the sale of human flesh.

The residue of Louisiana was placed under the government of the governor and judges of Indiana, where slavery was forever prohibited by the ordinance of 1787. It was believed that these officers would apply to Missouri the same principles of government on which they were bound to administer that of Indiana. Unhappily for Missouri, these gentlemen entertained different views, and suffered the evil to increase, without an effort to retard it. The subsequent acts, in regard to this territory, are of so recent a date, that it is unnecessary to detail their provisions.

The contests of party at home, and the great national questions in which we were soon involved with foreign governments, drew the attention of congress from this particular subject. It is now brought forward at a time when political animosities have in a good degree subsided, and every circumstance is favorable to its just decision.

The states of Ohio, Indiana, and Illinois, were admitted into the union in 1802, 1816, and 1818, and the restriction against slavery was applied, without opposition, to all of them. They formed their constitutions accordingly, and are now reaping the rich reward of civil as well as political freedom.

The slave trade was abolished by act of 1807, to take effect on the first day of January, 1808, being the earliest day on which congress could exercise that power.

In this manner congress has respected the rights of man, and has endeavored, in pursuance of the principles of the United States' government, to limit the extension of slavery as much as possible.

Many important considerations relating to the general welfare, are intimately connected with this subject. To a few of these I shall briefly advert. The defence of our country emphatically rests on its militia force. A slave population contributes nothing to this force, and occupies the place, which otherwise would be filled by a brave and hardy yeomanry. In detailing militia from the several states, for the public service, the quota of each is ascertained, not by its political power or representa-

tion in congress, but by its militia returns. War may be made by the representatives of a minority of those who are obliged to risk their lives in its support. This is a departure from that principle of the constitution which establishes a proportion between political power and contribution to public burdens, a departure which, in operation, has been found very unequal, but of which we do not complain in relation to existing states. It is one condition of the compact between us, and we are willing to fulfil it; but we are not willing to aggravate the inequality.

By the extension of slavery the contribution of money as well as of men, is rendered more unfavorable to the non-slave holding states. If our revenues were raised by direct taxation, the inequality would not be very great. But, of the millions which have passed through the United States' treasury, how small a portion has been derived from that source! Nearly the whole amount has been levied by duties on importation. We have paid it in the price of our coffee, tea, sugar, and almost every other article of foreign merchandize. These articles are extensively used; and many of them considered necessities of life by all classes of citizens in the non-slave-holding states, while their consumption is very limited among slaves. We have no reason to believe that the present revenue system will soon be superseded by that of direct taxation; and, while it continues, our contribution to the public treasury will ever remain greatly disproportionate to our political power in the federal government.

I have no desire to magnify the danger of insurrection in the slave-holding states. I hope it nowhere exists, or, at most, in a very limited degree. Information derived from honorable members of this committee, confirm my belief that such is generally the case. I have listened with pleasure to the recital of examples of the unconquerable attachment, fidelity, and devotion of slaves to their masters. Some of these instances have evinced a magnanimity which would have done honor to the best days of chivalric heroism. They are alike honorable to master and slave. But these examples are of rare occurrence. That some danger exists is not denied. It is admitted by all. Whatever it may be, I am unwilling to entail it upon the inhabitants of the west, and with it the obligation of protecting them against "domestic violence."

The strength of this nation chiefly consists in its moral power. The foundation of this is laid in the intelligence and virtue of the people. A wise administration will always, and especially in perilous times, receive the support of such a people. As difficulties thicken, and dangers threaten, they will not put forth their strength. Being capable of understanding the necessity of great sacrifices, they will make them with cheerfulness, and will march to victory. But this moral power of a nation does not consist solely, nor chiefly in the distinguished science of her favored sons—the rich and noble few—but in the information and integrity of her yeomanry, her farmers, mechanics, and laborers. These, in a government like ours, possess as well the moral power as the bone and sinew of the country. If a large portion of these be slaves, that power is not only impaired, but physical debility occupies its place.

The peculiar situation of this territory requires it to become a strong frontier. Lying in the vicinity of numerous and powerful tribes of Indians, approaching the neighborhood of a country, which soon may become a rich and jealous rival, we ought not to weaken it with a slave population.

The representation in congress allowed for slaves as I have before said, was matter of compromise. The extent of this concession was supposed to be seen and clearly understood. It was believed, that it could not be carried beyond the then existing states, and possibly, to the territory in dispute between the United States and Georgia. It did not apply to foreign territory. If you can claim it as incident to the power of admitting new states, you may stretch the principle to I know not what length. The words of the constitution may not be violated, but its spirit will be disregarded. No express power is granted to congress to acquire territory. If it exists at all it is by implication. Thus, on the implied power to acquire territory by treaty, you raise an implied right to erect it into states, and imply a compromise by which slavery is to be established, and its slaves represented in congress. Is this just? Is it fair? Where will it end? Must we allow representation not only to French and Spanish slaves bought with the territory in question, but to African slaves smuggled into it in violation of law? But your lust of acquiring is not yet satiated. You must have the Floridas. Your ambition rises. You covet Cuba and obtain it. You stretch your arms to the other islands in the Gulf of Mexico, and they become yours. Are the millions of slaves inhabiting these countries, too, to be incorporated into the union, and represented in congress? Are the free-men of the old states to become the slaves of the representatives of foreign slaves? The majority may be in your hands. You may have the power to pass such laws, but beware how you use it. Remember by whom, and for whom, this government was established. "We, the people of the United States," made it to secure our liberty, and promote our welfare. True, sir, it is not every violation of the constitution that will justify extreme measures. Our union may be compared to a commercial partnership. Some omissions of duty and acts of unkindness may be forgiven; many errors of judgment may be overlooked and forgotten; but, if there be a transgression which in its very nature is beyond forgiveness, and requires resistance, it consists in admitting into the concern new and unexpected partners, in such manner as to change the principles of the partnership itself and destroy the rights of the original owners.

We are bound by oath to support the constitution of the United States. The duty imposed is to uphold, not to impair and weaken it. Our obligation is as solemn to maintain the powers confided to this government as to forbear the exercise of those which belong to others. The amendment on your table opposes no state right. Gentlemen require us to admit that Missouri is a state, and then demonstrate quite clearly that we ought not to interfere with her municipal regulations. That Missouri, at some period, will become a state in this union I have no doubt; but that she will ever be admitted by an American congress without recognizing "the fundamental principles of civil and religious liberty," I cannot believe. Possessing, as we do, both a moral and constitutional right to require of Missouri a provision against slavery, as a condition of her admission—if we fail to exert it, we shall justly incur the reproach of our cotemporaries, and the malediction of posterity.

Ohio Canal.

In compliance with a resolution of the house of representatives of Ohio, Gov. Brown has addressed to them a message, communicating his ideas and

opinions on the practicability of connecting the waters of lake Erie and Ohio river by a canal. The length of the message compels us to dispense with its publication entire in our paper, at present. We therefore give the following abstract, as embracing some of the most prominent features of the message:

The governor proposes three several sites, as practicable for the contemplated canal—The first through the northeastern part of the state, and part of Pennsylvania—The second, through the Miami country—The third, along the eastern bank of the Scioto river. Owing to the want of the requisite mathematical demonstrations, he is unable to give a decided preference to either route: But, keeping in view at the same time expediency, utility, and expense, we think he seems to favor the one last mentioned. He recommends an accurate examination and survey of these routes, and an estimate of their respective costs. He suggests that "a *transverse canal*, fed from the waters of the great Miami, Scioto, and Licking, might probably be extended from Greenville to Zanesville."

The governor is of opinion that *three millions of dollars* will be a perfectly safe calculation for its expense, should our canal be equally large and deep with that in New York. For the purpose of defraying this expense, he proposes purchasing from the United States (say) four millions of acres of the land in the north western part of this state, to which the Indian title has recently been extinguished, which he thinks may be had at one dollar per acre: But this land not to be offered for sale, until the contemplated canal be completed; when the most moderate calculator will not rate the land at less than three dollars per acre. The money for completing the canal, may, he thinks, be borrowed on a pledge of the land, or the faith of the state, for seven years, at 7 per cent. per annum—but deems it unadvisable to borrow faster than the progress of the work may require. The sales of these lands, he calculates, will far more than defray all the expenses of the canal; which, when finished, will yield to our state treasury, annually, a very handsome income.

Gov. Brown intimates that a second canal may be cut through the above tract of four millions, in a different direction from the first, which would nearly double the value of the whole tract, and afford additional millions for improvements of every kind of internal communication throughout the state.

[*Olive Branch.*]

THE METHODIST EPISCOPAL SOCIETY.

The following statement exhibits the number of white and colored communications in the Methodist episcopal church in the United States, in 1819. It is taken from the last minutes, viz.

	Whites.	Colored.	Total.
Ohio conference,	28,361	773	29,134
Missouri do.	4,580	184	4,764
Tennessee do.	18,987	1,669	20,676
Mississippi do.	1,959	412	2,371
S th Carolina do.	21,059	11,587	32,646
Virginia do.	17,234	5,351	22,585
Baltimore do.	24,828	9,261	34,089
Philadelphia do.	24,635	8,161	32,796
New-York do.	21,183	1,455	22,638
New-Eng ^l nd do.	15,149	163	15,312
Genesee do.	23,775	138	23,913

Total,	201,750	39,174	240,924
Total in 1819,			229,637
Increase in 1819			11,297

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The bills for the admission of Maine and Missouri into the union, have been respectively signed by the president of the United States, and become laws. The latter without restriction as to slavery, but containing the provision to prevent its further extension, *forever*, north of 36½ deg. north latitude, except within that state.

We shall proceed leisurely to record some of the speeches, as originally proposed, on the Missouri question: but at present, and for a week or two to come, the major part of our pages will be monopolized by Mr. Crawford's report on a national currency—a matter, now, of more immediate interest. The proceedings of congress, however, in relation to the former subject, are given at length, and concluded in this sheet.

There are a great many articles on hand which we desire to publish, and not a few subjects that we ourselves are prepared to say something about as soon as the room for them can be had.

☞ A very important bill has passed the senate of the United States. It changes the mode of disposing of the public lands from credit to cash sales—a measure which, we are very well satisfied, will be highly advantageous to us in every respect. Especially beneficially to the government as to the receipt of its dues, and profitable to the new states and territories, by preventing the excessive speculations and severe drains of money to which they now are liable.

From England, by an arrival at New-York, London papers, to the 18th of January, have been received. They contain nothing of much interest, and in the extracts presented to us, not a word is said about reform or the reformers, except that sir Francis Burdett was to be tried upon the *ex-officio* information filed against him for his letter to the electors of Westminster, on the murders at Manchester, and that sir Charles Wolesly, major Cartwright, Mr. Wooler, and others, were also to be tried for alleged illegal proceedings at Birmingham and Lancaster.

The winter has been very severe—the ice at Woolwich was five feet thick—the mail coaches were interrupted by the depth of the snow in Scotland, which was from six to fifteen feet deep! The provincial papers are said to be chiefly filled with accounts of the distresses of the poor.

France is quiet—Soult has received his marshal's baton of the king, and Vandamme is permitted to return. The bank has a great deal of money unemployed, in consequence of the limited applications for discount.

Ireland is much disturbed—and martial law prevails in several districts.

In Germany great injury has been done by an inundation of the Rhine. The territory of Carlsruhe was almost wholly under water.

The ninth book of the memoirs of Napoleon, written by himself, have been published at Paris—2000 copies were sold in one day, and on the next, the remainder of the edition was seized by the police.

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We shall overhaul these papers, and though they do not contain any *news*, perhaps glean from them some miscellaneous articles of interest.

Spain. There is abundant confirmation of the general amount of the late news of a revolt of the army in Spain, though more recent accounts from that country have not been received. The effect of these proceedings are yet to be known.

South America. We learn from Buenos Ayres, that the Monteneros, under Ramirez, Lopez and Carrera, and the Buenos Ayrean army, under the director Rondeau, were within a few leagues of each other, and a battle daily expected. The communication with Chili was cut off Artigas' party appears to have been much strengthened of late, and the civil war in the provinces of Rio de la Plata seems very far from being at an end. Lord Cochrane had failed in two attacks on the Spanish fleet at Callao. We hear much of plots, conspiracies and arrests. The next arrival will probably give us some interesting particulars. It is supposed that the Spanish 74, St. Telmo, which sailed from Cadiz for Peru, has been lost off Cape Horn, and the whole crew perished.

The Slave Question

This "distracting question," as it was emphatically called by a member of the senate of the U. States, and which has so long excited the hopes and fears of every patriot in the union, has at last been settled. Very few, perhaps, are entirely pleased with the manner of its adjustment; but most persons are gratified that it has been adjusted amicably—for, certainly, it was a matter of more serious importance than any other ever before submitted to the consideration of congress, since the formation of the constitution: presenting a conflict of interests as to real or honestly presumed rights, and affecting us all *geographically*. I was among the first, I believe, who espoused, and the only editor that I know of who openly advocated, a compromise, and recommended a recurrence to that spirit of conciliation which prevailed when our constitution was adopted.—not because, that I myself had any doubt as to the power of congress to impose the contemplated restriction on Missouri, but for the reason that, in this extreme case, I would waive the full exertion of such power, rather than jeopardize the harmony and perpetuity of the system of government under which we live, so happily fitted to secure the best interests of the American family. Not that I would make a bargain with iniquity, (as some, on both sides, thought that a compromise must needs be)—but a choice of evils being presented, it seemed wise to accept the least of them, as congress finally agreed to do. Many gentlemen, and among them several warm personal friends, some in favor of and some opposed to restriction, disapproved of the course pursued in the REGISTER; but I now flatter myself, that they will very soon be generally pleased with the principle of compromise—considering it as the only manner in which the great question could have been peaceably settled. But let it not be understood from

this, that I either wish to draw geographical lines through the republic, or am contented with that which *necessity* has drawn. It is not worth while, however, to speak of these things now—the object of all should be to restore to the people and their representatives, that good understanding and friendly communication which existed before the proposed restriction was agitated. Neither of the great interests in the union can claim a *victory* over the other; and political power will soon rest where the effective population is located.

The votes on this question conclusively prove that a large majority in both houses, were of opinion that congress holds a *constitutional* right to inhibit slavery in the territories of the United States, without their original limits; though many, adverse to the restriction on Missouri, may have thought it inexpedient to impose such restriction. The territory north of 36½ degrees north latitude, if "*forever*" forbidden to be peopled with slaves, except in the state of Missouri. The right then, to inhibit slavery in *any* of the territories, is clearly and completely acknowledged, and it is conditioned as to some of them, that even when they become *states*, slavery shall be "*forever*" prohibited in them. There is no hardship in this—the territories belong to the United States, and the government may rightfully prescribe the terms on which it will dispose of the public lands. This great point was agreed to in the senate, 33 votes to 11, and in the house of representatives, by 134 to 42, or *really*, by 139 to 37*—and we trust that it is determined "*forever*," in respect to the countries now subject to the legislation of the general government. It is true, the compromise is supported only by the letter of a law, repealable by the authority which enacted it; but the circumstances of the case give to this law a *moral force* equal to that of a positive provision of the constitution; and we do not hazard any thing by saying, that the constitution exists in its observance. Both parties have sacrificed much to conciliation—we wish to see the *compact* kept in good faith, and trust that a kind Providence will open the way to relieve us of an evil which every good citizen deprecates as the supreme curse of this country. In the acquisition of *new* territories (say of Florida, the only new territory that we ever wish to see added, taking the line as fixed by the late treaty with Spain for our boundary west,) the question may be partially revived—but sufficient for the day is the evil thereof.—And, with the exception of Florida, we trust that a sound discretion will check the desire of obtaining more land. Our territory is already *large enough*, and the dispersion of our population must be measurably restrained, that the physical power of the nation may be preserved.

A few general remarks on slavery in the United States, and on the humane as well as the political principles involved in the late discussion, may not be inapplicable here.

*Of the forty-two gentlemen who voted against the compromise in the house of representatives, Messrs—Adams, Allen, Mass. Buffum, Folger and Gross, of N. Y. did so because they were in favor of an entire restriction on all the country west of the Mississippi, except in the state of Louisiana—and the 37 others united with the preceding, because opposed to any restriction whatever. Of the 37—1 was from Maryland, 18 from Virginia, 6 from North Carolina, 4 from South Carolina, 4 from Georgia, 1 from Kentucky, 2 from Tennessee.

It is quite certain, and manifest to every man of observation, that a principle opposed to slavery is making daily advances in the United States. Few, if any, are bold enough to advocate the practice as being right in itself, or dare to justify it, except on the broad plea of necessity:—the blacks were imposed upon us without our consent, and the management or disposal of them is a matter of most serious concern. Their numerical force is justly feared in several of the states, and a day of dreadful conflict as looked to as a probable event. To keep this off as long as possible, many efforts are made to continue the blacks in abject ignorance, and render them mere laboring machines, with nevertheless, a general amelioration of their condition in other respects; they are much better fed and clothed, and more kindly treated, than formerly, and I believe that nothing but an apprehension of their power prevents their emancipation as rapidly, as, I believe, would be consistent with their good or our own. It cannot be pretended that they are fitted at once to be let loose on society; and the impediments in their march to respectability are almost insuperable, or account of the prejudice against their color. This is the grand difference between them and us; and, however they may advance to what we consider the point of perfection as to color, if still shut out from the rights of freemen they must remain *as* negroes, and associate only with the blacks. A distinguished gentleman from one of the southern states, filling one of the highest offices in the government of the U. States, in a recent conversation with me, suggested the idea and powerfully maintained it, that a grade of color should be fixed in all the slave holding states, at which a person should be declared free, and entitled to all the rights of a citizen, even if born of a slave. He said, and I believe justly, that this act would separate all such persons from the negro race, and present a very considerable check to the progress of the black population, giving them at the same time new interests and feelings. It appears to me, that this would do more to relieve us of the evils of slavery than fifty colonization societies. It would also have a powerful tendency to preserve order among the slaves themselves, so far as to prevent combinations to commit acts of violence. The children of those thus emancipated, even if the parents should not be wholly fitted for it, would come into society with advantages nearly equal to those of the poorer classes of white people, and might work their way to independence as well, without any counteracting detriment to the public good, that I am aware of. A just pride would be excited, and lead them to maintain the elevated ground on which they stood, for the benefit of themselves and their posterity.

But the great check to the progress of the slave population in the United States, I apprehend is to be found in the general condition of things. It is indubitable, that the demand for several of our great staples chiefly derived from the labor of slaves, will fail to produce anything like their former profits—I allude chiefly to cotton, tobacco and rice, and after a while, sugar. It is a fact, that the cotton now raised in different parts of the world, is *quite equal* to the wants of the world to consume, or its capacity to purchase. The *whole* cotton crop of the United States is raised on less than a million of acres, according to Mr. Coxe's memoir, and the greatest amount exported, (85 millions lbs.) according to a writer in the National Intelligencer, at 250lb. to the acre, on 531 square miles, or 339,840

acres† Admit that Mr. Coxe, whose estimation is much higher than the other, is correct, and it will appear that all our cotton is raised on about a *two hundredth part* of the cotton region of the United States, which probably, of itself, is sufficient to supply the world, if fully populated to raise the article, though a very small part of the world which is capable of producing it. The teeming millions of the East Indies only, (to say nothing of other immense tracts of country in Asia and Europe, Mexico and South America) can produce enough to supply two worlds like this, and that they will furnish the majority of the quantity used in Europe cannot be doubted, because labor is much cheaper there than in the United States, even if of slaves, most scantily fed and badly provided for. The *valley of Seres*, in the province of ancient Macedonia, produces 70,000 bales, of 275lb. each, or nearly 20 millions of pounds. This lies in 41 degrees north. The culture is easy, and small children are nearly as useful in some parts of the business as adults; and they have employment but a short time in the year. I therefore conclude that the *great profits* heretofore made upon cotton in the United States, will never return: and think the time is not far distant when it will sell for 8 or 10 cents per lb. unless protected for *home consumption*. South America, emancipated, will knock down tobacco to a very low price—the progress of agriculture, in the raising of corn, will supersede the use of our rice, and sugar, even now, if not protected by the present enormous duty on the foreign product, would be a poor business in Louisiana.

Except for the commodities mentioned, slave labor is not desirable in the United States, because it is generally unprofitable. A comparison of Pennsylvania with Virginia certainly shews us that it is the labor of freemen which enriches a country. A farmer in the former, with three or four hands, lives better and more comfortably and saves more money, than another in the latter with four times as many slaves. For the work done in the common business of agriculture, the labor of free persons is by far cheaper than that performed by slaves. There is an *intelligence* in its details which the slave is not entrusted with, or, if known to him, that he has no motive to exert.

For these facts I conclude, that the demand for slave labor will be exceedingly checked in the United States, and, of course, the wish to have them or desire to breed them, be greatly diminished. And I believe the effect of these things will be, that *Kentucky, Tennessee and Missouri*, will, before many years, follow the lead of Pennsylvania, &c. and cease to be slaveholding states, as well as from principle as from interest. In Kentucky, as I am told by several gentlemen of high standing, there is so strong an opposition to slavery, that the chief slave holders have long feared to call a convention to alter the constitution, though much desired, lest measures should be adopted that might lead to a gradual emancipation. Tennessee has not many slaves, and they are but little approved of in this state. If the culture of cotton fails, they will hardly be desired by any, as ordinary laborers. They cannot easily be profitable in Missouri, and the influx of a free population may soon forbid the further introduction of slaves, even if the constitution now to be formed shall admit such introduction, which there is some reason to hope will not be the case.

Much more might be said in favor of the opinions

herein advanced—but the reasons of them will occur to most persons who take the trouble to examine the subject, and I think they will agree with me, that the slave population will not advance in the ratio that it has done.

CONGRESS.

IN THE SENATE.

March 2. Other business being transacted, to be noticed in its progress, &c.—

A message from the house of representatives announced the passage of the *Missouri* bill, so long debated in that body and passed with a restriction as to slavery.

The bill was, on motion of Mr. *Barbour*, immediately taken up and read a first and second time; and at his instance also, was then forthwith taken up as in committee of the whole.

Mr. *Barbour* then moved to amend the bill by striking out the *proviso* requiring the new state to interdict slavery within its limits. The subject, he said, had been so fully discussed, and so often passed upon, and the yeas and nays recorded on it, that he thought it unnecessary to say any thing on the subject: and he should forbear even the asking for the yeas and nays upon it.

Mr. *King*, of New York, said he was perfectly ready to concur in the sentiment expressed by the gentleman from Virginia. He had no idea of producing delay in bringing this matter to a conclusion, which only would be the effect of discussion; but was ready to concur in any course which would lead to its speedy termination.

Mr. *Horsely* said, that, having been necessarily absent when this question was before decided, he wished now to be indulged with an opportunity of recording his vote.

The yeas and nays were accordingly ordered to be taken, and stood as follows:

YEAS.—Messrs. Barbour, Brown, Eaton, Edwards, Elliot, Gaillard, Horsey, Hunter, Johnson of Ken. Johnson of Lou. King of Alab. Landon, Leake Lloyd, Logan, Macou, Parrott, Pinkney, Pleasant, Smith, Stokes, Thomas, Van Dyke, Walker of Alab. Walker of Geo. Williams of Miss. Williams of Ten.—27

NAYS.—Messrs. Burdell, Dana, Dickerson, King of N. Y. Lowrie, Melien, Morrill, Noble, Otis, Roberts, Ruggles, Sandford, Taylor, Trimble, Wilson—15.

Mr. *Thomas* then proposed to amend the bill by inserting therein a section declaring the inhibition of slavery in the *territories* of the United States north of 36 degrees 30 minutes north latitude (the same as was previously proposed by the senate to be added to the Maine bill.)

This motion was agreed to, without debate.

The amendments were then reported from the committee of the whole, and the first of them was concurred in without a division.

To the second (Mr. *Thomas's*) Mr. *Trimble* proposed an amendment, which was, to strike out the part thereof descriptive of the territory from which slavery is to be excluded, and in lieu thereof, to insert the following:

"All that part of Louisiana west of the Mississippi, ceded by France to the United States, except the state of Louisiana, the territory included in the proposed state of Missouri and the Arkansas territory east of the 17th of 94th degree of longitude, agreeably to Mellish's map."

Mr. *Trimble* said he would not have offered this amendment, but with the hope that some agreement might take place between the two houses, and in the belief that that amendment embraced principles on which the two houses might unite on this subject. When we go into the territory which was uninhabited at the date of the Louisiana treaty, and

†See last vol. of the Register, page 225.

is yet uninhabited, very few, he believed, entertained scruples as to the constitutionality of the restriction. For his part, he did not see on what principle the constitution could be brought to bear on the subject. He had offered this amendment with a view, should it succeed, to vote for the bill in its present form. He had little doubt that it contained principles on which, were it agreed to, the bill would pass the other house; and he was under the impression that it would not succeed on the principle of the amendment of the gentleman from Illinois, as it now stood.

The question was then taken without debate, on Mr. Trimble's motion to amend the amendment, as above stated, and decided as follows:

YEAS.—Messrs. Burdill, Dana, Dickerson, King of N. Y. Landman, Mellon, Morrill, Otis, Ruggles, Sanford, Trimble, Wilson.—12.

NAYS.—Messrs. Barbour, Brown, Eaton, Edwards, Elliot, Gailard, Horry, Johnson of Conn. Johnson of Lou. King of Alabama, Lusk, Lloyd Logan, Lowrie, Macon, Noble, Palmer, Parrott, Pinkney, Pleasant, Roberts, Smith, Stokely, Taylor, Thomas, Van Dyke, Walker of Alab. Walker of Geo. Williams of Miss. Williams of Tenn.—30.

Mr. Thomas' amendment was then concurred in, as agreed to in committee of the whole.

And the amendments were then ordered to be engrossed, and with the bill to be read a third time: it was read a third time accordingly, passed, and sent to the house of representatives, requesting their concurrence in the amendments.

The resolution offered yesterday by Mr. Trimble, for enquiring into the expediency of abolishing the system of trading houses with the Indian tribes, was agreed to, *nem. con.*

The senate then took up the bill for taking the fourth census of the people of the United States, and made some progress therein.

March 3. A message was received from the house of representatives, that the house had concurred in the amendments of the senate to the bill for the admission of Missouri into the union.

Mr. Thomas, from the committee of conference on the Maine bill, reported a recommendation of a verbal alteration, necessary to conform it to the existing state of things; which was agreed to, and the house of representatives informed accordingly.

On motion of Mr. King, of N. Y. the memorial of major-general Andrew Jackson was taken up, and considerable debate took place; which ended, however, in those who had opposed the printing waving their opposition to it. Those who supported the motion for printing the same, were Messrs. King, of N. York, Wilson, Morrill, Lauman, Pinkney, Eaton and Smith; and those who at first opposed it, but withdrew their opposition on explanation of some passages in it, and on understanding that no further proceeding was proposed with regard to it, were Messrs. Walker, of Georgia, Dana and Burdill. The memorial was then ordered to be printed.

An engrossed bill, for the relief of Walter Channing, was passed by the senate—after which the senate went into the consideration of executive business, and then adjourned to Monday.

March 6.—Nothing interesting transacted this day, except after making some amendments to the bill for taking the fourth census, which involved none of its important principles, it was ordered to a third reading.

March 7. A considerable quantity of business of a preparatory nature, was transacted this day; among which,

The report of the committee of claims unfavorable to the petition of sundry inhabitants of Michigan, praying indemnity for certain losses sustained in the late war, was taken up and agreed to.

After making some amendments thereto, the senate ordered to a third reading, the bill making payment for horses, &c. lost in the Seminole war.

March 8. The important bill for changing the mode of disposing of the public lands, from credit to cash sales, was discussed at large, and finally ordered to be engrossed for a third reading.

The bill to suspend for a further time the forfeiture of lands for non-payment, &c. was also taken up, and ordered, *pari passu* with the former bill, to be engrossed for a third reading.

HOUSE OF REPRESENTATIVES.

Thursday, March 2. Mr. James Woodson Bates the delegate from the territory of Arkansas, appeared this day and took his seat.

Mr. Pinckney, from the select committee appointed on the subject, reported a bill to restore to all the states which have, in cessions omitted to retain the same, the jurisdiction of the territory ceded to the United States, for forts, arsenals, dock-yards, and barracks, so far as respects the execution of their state laws for the prevention and punishment of crimes, and recovery of debts; which was twice read and committed.

The bills to appoint a register and receiver of public monies, in Lawrence county, Arkansas, was ordered to be engrossed for a third reading.

On motion of Mr. Rhea, the committee on pensions and revolutionary claims were instructed to enquire into the expediency of reviving and continuing in force the revolutionary pension act of April 10, 1806, which was revived in 1812, and continued six years.

On motion of Mr. Bateman, it was

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of requiring by law, the marshals of the several districts, in selling real estate by virtue of execution, to hold such sale in the city or county in which such real estate shall be situate.

On motion of Mr. Baldwin, it was

Resolved, That the secretary of the treasury be required to communicate to this house, the state of the bank of the United States on the first day of March, June, and December last.

A message was received from the president of the United States, stating that no progress had been made in surveying certain parts of the coast of North Carolina, in consequence of the board of engineers having been engaged last year on the eastern coast—but that during the ensuing summer, such survey would be made, &c.

Mr. Smith of Maryland, moved that the house should, by general consent agree now to take up (out of its order) the navy appropriation bill. This motion being lost;

Mr. S. moved to postpone the preceding orders of the day, for the purpose of taking up the said bill. This motion was agreed to; and

The house then resolved itself into a committee of the whole, Mr. Nelson, of Virginia, in the chair, on the appropriation bills.

Mr. Randolph rose, and after objecting to this mode of getting at important bills, moved that the committee should immediately rise. Mr. Smith, of Md. said, that the due notice had been given, and that the public service was suffering for the want of appropriations. Mr. Clay also wished the committee to rise. The bills before the committee were those on which the great question was to be decided, of how the deficit in the treasury, whether by taxes, loans, or otherwise, was to be sup-

plied. The house was not now in a moral condition for the consideration of such questions. He not only wished the Missouri bill to be first finally disposed of, but really he wanted a day's rest for the body as well as the mind, after the settlement of this agitating and laborious subject.

And the committee rose and had leave to sit again. The house then went into a committee of the whole on the bills establishing U. States courts in Maine and Alabama, and made some progress therein.

A message was received from the senate announcing that they had passed the Missouri bill, with an amendment, which amendment was, in substance to strike out the slavery restriction, and insert in lieu thereof, the clause (Mr. Thomas's and Mr. Storrs's original proposition) to exclude slavery from all the territory of the United States west of the Mississippi, north of 36° 30' north latitude, except within the proposed state of Missouri.

On motion of Mr. Holmes, this message was laid on the table long enough to give him an opportunity to make a report from the committee of conference.

The report of this committee was, three resolutions, recommending in substance—1st to the senate to recede from its amendments to the Maine bill, 2ndly to the two houses to strike out of the Missouri bill the restriction upon the state; and 3dly to insert a restriction on all the territory north of 36 degrees 30 minutes.

A motion was made and carried to lay the report on the table.

Mr. Beecher then moved to print the report.

This motion was opposed by Mr. Lowndes, on the ground that it would imply a determination in the house to delay a decision of the subject to-day, which he had hoped the house was fully prepared for.

Some conversation passed on this motion between Mr. Taylor and Mr. Lowndes, on the propriety of proceeding to act in this house on the recommendation of the committee, before the senate had given the pledge required of them of first adopting the report by receding from the amendments to the Maine bill, in which Mr. Taylor opposed the proceeding, and Mr. Lowndes was in favor of it; inasmuch as it would be wrong to put in jeopardy a satisfactory settlement of this question, from an adherence to a mere point of etiquette and order: that the house could not fear that the senate would adopt the recommendation to recede from their amendments, as the committee of conference was unanimous in their report, with the exception of one member from this house, [Mr. Taylor], and because further as the disposition of the senate to admit Maine, cannot be doubted, they would have no motive to adhere to their amendments if this house should adopt the report, &c.

A long debate took place on the question of printing, or rather on the question, whether this house should act on the 2d and 3d propositions of the committee of conference before the senate had acted on the 1st. Those against acting immediately, and in favor of the printing, were Messrs. Taylor, Livermore and Whitman. Those who opposed the printing were Messrs. Lowndes, Holmes, Kinsey, Storrs, Randolph, Brown, Strother, Campbell, and Parker of Va.

The debate had continued about three hours, when Mr. Beecher withdrew his motion.

The house then resumed the consideration of the amendments of the senate to the Missouri bill.

The question was divided so as first to be taken on striking out the restriction.

Mr. Lowndes briefly supported the compromise and earnestly urged a decision of the question which would give tranquility to the country. Mr. Holmes followed to nearly the same effect. Mr. Adams, of Mass. spoke in favor of the restriction. Messrs. Kinsey, Stevens and Mercer explained at large, why they should vote against the state restriction and in favor of the territorial restriction. A call for the previous question being sustained—

The main question was put on concurring with the senate in striking out of the bill the slavery restriction on the state of Missouri, and decided in the affirmative, by yeas and nays, as follows:

For concurring—Messrs.

Abbot	Floyd	Pindall
Alexander	Foot	Quarles
Allen, Tenn.	Fullerton	Randolph
Anderson	Garnett	Rankin
Archer, Md.	Hall, N. C.	Reed
Archer, Va.	Hardin	Rhea
Baldwin	Hill	Ringgold
Barbour	Holmes	Robertson
Bayly	Hooks	Settle
Bloomfield	Johnson	Shaw
Brevard	Jones, Va.	Simpkins
Brown	Jones, Tenn.	Sloumb
Bryan	Kent	Smith, N. J.
Burton	Kinsey	Smith, Md.
Burwell	Little	B. Smith, Va.
Butler, Lou.	Lowndes	A. Smyth, Va.
Cannon	McCoy	Smith, N. C.
Cobb	McCreary	Stevens
Cocke	McLane, Del.	Storrs
Crawford	McLean, Ken.	Strother
Crowell	Mason	Swearingen
Culbreth	Meigs	Terrell
Culpepper	Mercer	Trimble
Cuthbert	Metcalf	Tucker, Va.
Davidson	Neale	Tucker, S. C.
Earle	Nelson, Va.	Tyler
Eddy	Newton	Walker, N. C.
Edwards, N. C.	Overstreet	Warfield
Ervin	Parker, Va.	Williams, Va.
Fisher	Pinckney	Williams, N. C. 90

Against concurring—Messrs.

Adams	Guyon	Patterson
Allen, Mass.	Hackley	Phelps
Allen, N. Y.	Hall, N. Y.	Philson
Baker	Hazard	Pitcher
Bateman	Hemphill	Plumer
Beecher	Hendricks	Rich
Boden	Herrick	Richards
Brush	Hibsham	Richmond
Buffum	Hiester	Rogers
Butler, N. H.	Hostetter	Ross
Campbell	Kendall	Russ
Claggett	Kinsley	Sampson
Clark	Lathrop	Sergeant
Cook	Lincoln	Silsbee
Crafts	Linn	Sloan
Cushman	Livermore	Southard
Darlington	Lyman	Street
Dennison	Maclay	Strong, Vt.
Dewitt	Mallory	Strong, N. Y.
Dickinson	Marchand	Tarr
Dowse	Meech	Taylor
Edwards, Penn.	R. Moore	Tomlinson
Fay	S. Moore	Tracy
Folger	Monell	Upham
Ford	Morton	Van Rensselaer
Forrest	Moseley	Wallace
Fuller	Murray	Wendover
Gross, N. Y.	Nelson, Mass.	Whitman
Gross, Penn.	Parker, Mass.	Wood—87.

[*Dissection.* For concurring—Messrs. *Mason, Hill, Holmes, and Shaw*, of Massachusetts; *Foot*, and *Stevens*, of Connecticut; *Eddy*, of Rhode Island; *Meigs*, and *Storrs* of New York; *Bloomfield, Kinsey, and Smith*, of New Jersey; *Muldrin*, and *Fullerton*, of Pennsylvania; *M' Lane*, of Delaware; and all the members present from the states of Maryland, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Louisiana, Mississippi, and Alabama.

Against concurring—All the members present from New Hampshire and Vermont, all present from the following states except as above stated, viz: Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Indiana, and Illinois.

Absent on this vote—Messrs. *Edwards*, of Conn. *Case, Peek*, and *Tompkins*, of N. Y. *Hall* of Delaware, all of whom it is presumed would have voted against concurring—5; and Messrs. *Ball*, of Va. *Sawyer* of N. C. and *Walker*, of Ky. deceased, who, if present, would have voted on the other side.

For concurring	90
Against it	87

177

Absent in all 8—speaker 1—	9
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Whole number of members 186]

The question was then stated on the second amendment of the senate; when

Mr. *Taylor* moved to amend the amendment by striking out the words "thirty six degrees 30 minutes north latitude," and inserting a line which would exclude slavery from all the territory, west of the Mississippi, except Louisiana, Missouri, and Arkansas.

The previous question was again demanded, and again sustained by a majority of the house. The effect of the previous question being to exclude the question on the amendment, and to bring it back to the main question—

The main question was taken, on concurring with the senate in inserting in the bill, in lieu of the state restriction, the clause inhibiting slavery in the territory north of 36 degrees 30 minutes north latitude and was decided in the affirmative, by yeas and nays, as follows:

For inserting the substitute—Messrs. *Allen*, of N. Y. *Allen*, Tenn. *Anderson*, *Archer*, Md. *Baker*, *Baldwin*, *Bateman*, *Bayly*, *Beecher*, *Bloomfield*, *Baden*, *Brevard*, *Brown*, *Brush*, *Bryan*, *Butler*, of N. H. *Campbell*, *Cannon*, *Case*, *Clagett*, *Clark*, *Cooke*, *Cook*, *Crafts*, *Crawford*, *Crowell*, *Cuthbert*, *Culpepper*, *Cushman*, *Cuthbert*, *Darlington*, *Davidson*, *Dennison*, *Dewitt*, *Dickinson*, *Dowse*, *Earle*, *Eddy*, *Edwards*, of Penn. *Fay*, *Fisher*, *Floyd*, *Foot*, *Ford*, *Furrest*, *Fuller*, *Fullerton*, *Gross*, of Penn. *Guyon*, *Hackley*, *Hall*, of N. Y. *Hardin*, *Hazard*, *Hemphill*, *Hendricks*, *Herrick*, *Hibbman*, *Hiestor*, *Hill*, *Holmes*, *Hosetetter*, *Kendall*, *Kent*, *Kinsley*, *Kinsey*, *Lathrop*, *Little*, *Lincoln*, *Linn*, *Livermore*, *Lowndes*, *Lyman*, *Macley*, *McCreary*, *McLane*, *Del. M'Lean*, of Kan. *Mallory*, *Marchand*, *Mason*, *Meigs*, *Mercer*, *R. Moore*, *S. Moore*, *Monell*, *Morton*, *Moseley*, *Murray*, *Nealon*, *Mass. Nelson*, of Va. *Parker*, of Mass. *Patterson*, *Philips*, *Pitchee*, *Plumer*, *Quarles*, *Rankin*, *Rich*, *Richards*, *Richard*, *Ringgold*, *Robertson*, *Rogers*, *Ross*, *Russ*, *Sampson*, *Sergeant*, *Settle*, *Shaw*, *Silbee*, *Skane*, *Smith*, of N. J. *Smith*, of Md. *Smith*, of N. C. *Southern*, *Stevens*, *Storrs*, *Street*, *Strong*, *Vt. Strong*, *N. Y. Strother*, *Tarr*, *Taylor*, *Tomlinson*, *Tompkins*, *Tracy*, *Trimble*, *Tucker*, of S. C. *Upham*, *Van Rensselaer*, *Wallace*, *Warfield*, *Wendover*, *Williams*, *N. C. Wood*—134.

Against it—Messrs. *Abbot*, *Adams*, *Alexander*, *Allen*, of Mass. *Archer*, of Va. *Barbour*, *Buffum*, *Burton*, *Burwell*, *Butler*, of Lou. *Cole*, *Edwards*, of N. C. *Ervin*, *Folger*, *Garnett*, *Gross*, of N. Y. *Hall*, of N. C. *Hooks*, *Johnson*, *Jones*, of Va. *Jones*, Tenn. *McCoy*, *Metcalf*, *Neale*, *Newton*, *Overstreet*, *Parker*, of Va. *Puckney*, *Pindall*, *Randolph*, *Reed*, *Rhea*, *Sinkins*, *Stocumb*, *B. Smith*, of Va. *A. Smyth*, of Va. *Swearingen*, *Terrill*, *Tucker*, of Va. *Tyler*, *Walker*, *N. C. Williams*, of Va.—42.

So the house concurred in the amendments of the senate to the bill; and

About half past 7 o'clock the house adjourned.

Friday, March 3. The journal of the proceedings of the house on yesterday being read,

Mr. *Randolph* rose and intimated an intention now to move the house to reconsider their vote yesterday, by which they concurred with the senate in striking the restriction from the Missouri bill.

The Speaker declared the motion out of order until the ordinary business of the morning, as prescribed by the rules of the house, should be disposed of. From which opinion of the chair, Mr. *Randolph* appealed.

The question being taken on the correctness of the decision, it was affirmed by the house.

The house then proceeded in receiving and referring petitions; when, petitions being called for from the members from Virginia.

Mr. *Randolph* moved that the house retain in their possession the Missouri bill, until the period should arrive, when, according to the rules of the house, a motion to reconsider the vote of yesterday on concurring in the first amendment proposed by the senate to the bill aforesaid, should be in order.

The Speaker declared this motion out of order, for the reason assigned on the first application of Mr. *Randolph* on this day.

Mr. *Randolph*, being in the majority on that question, moved the house now to reconsider their vote of yesterday, in which they concurred in the first amendment proposed by the senate to the Missouri bill, which was to strike out the slavery restriction.

Mr. *Archer*, of Virginia, seconded the motion.

The Speaker, having ascertained the fact, stated to the house, that the proceedings of the house on that bill yesterday, had been communicated to the senate by the clerk, and that the bill not being in possession of the house, the motion to reconsider could not be entertained.

Whereupon, Mr. *Randolph* submitted the following resolution:

Resolved, That, in carrying the bill, entitled "An act to authorize the people of the territory of Missouri to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states," after a member from Virginia had given notice of his intention to move a reconsideration of the question decided last evening, in which the said member, viz. Mr. *Randolph*, voted in the majority on one of the amendments of the senate thereto, the clerk is guilty of a breach of the privileges of a member of this house under the rules thereof.

And the question being put whether the house would now consider the said resolution; it was decided in the negative—ayes 61, noes 71.

Mr. *Randolph* then submitted the following proposition; which lies on the table.

"That so much of the 37th rule as allows a reconsideration of any question by motion of any member of the majority on such question, on the day succeeding that on which such question be taken, be expunged."

A message was received from the senate, announcing that they had receded from their amendments to the Maine bill; but asking a further conference on the subject of that bill [for the purpose of making a necessary verbal amendment—to insert March "1820," instead of March "next," as the original bill was drafted.]

Mr. *Randolph* moved that the bill be indefinitely postponed, and proceeded at considerable length to offer his reasons for wishing to prevent its passage; when

Mr. *R.* was called to order, by Mr. *Livermore* for deviating from the question under debate.

The *Speaker* decided that Mr. *Randolph* was not out of order.

Mr. *Livermore*, appealed from the decision of the chair; but before the question was put,

Mr. *Randolph* withdrew his motion for the indefinite postponement of the bill.

The conference was then agreed to; and soon after Mr. *Holmes* reported the amendment as above stated, which was agreed to by the house, and the bill was thus finally acted on.

Mr. *Lowndes'* motion to amend the rules of the house, with the amendment proposed thereto by Mr. *Randolph*, was then considered, and three hours debate had upon it. Finally, the question was stated on agreeing to the motion in the following words—

"And if any member shall not confine himself to the question under debate, and shall be called to order; if the decision of the speaker of the house, upon appeal, be against the member thus deviating from the question, such member shall not be, at that time, permitted to proceed, without the special leave of the house."

And it was decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. Adams, Allen, N. Y. Anderson, Baldwin, Bloomfield, Boden, Brush, Buffum, Campbell, Cannon, Case, Clark, Cocke, Cook, Crowell, Culpepper, Darlington, Dennison, Dewitt Dickinson, Dowse, Edwards, Con. Folger, Fuller, Gross, Penn. Hackley, Hall, N. Y. Hendricks, Merrick, Hill, Hooks, Kendall, Kinsley, Lathrop, Linn, Livermore, Lowndes, Macleay, McCreary, Mallory, Mason, Meach, S. Moore, Monell, Overstreet, Parker, Mass. Pitcher, Plumer, Rankin, Robertson, Rogers, Sergeant, Simkins, Sloan, Smith, N. J. Smith, N. C. Southard, Stevens, Tompkins, Upham, Wallace, Whitman, Wood—63.

NAYS—Messrs. Abbot, Alexander, Archer, Md. Archer, Va. Barbour, Bayly, Brown, Bryan, Burton, Burwell, Butler, N. H. Butler, Lou. Clagett, Cobb, Crafts, Cushman, Cuthbert, Davidson, Earle, Edwards, Penn. Edwards, N. C. Floyd, Ford, Forrest, Fullerton, Garnett, Gayton, Hall, N. C. Hardin, Hazard, Hemphill, Hillsman, Hixson, Holmes, Hostetter, Johnson, Lincoln, Lyman, McCoy, McLane, Del. McLean, Etn. Marchand, Mercer, Metcalf, R. Moore, Morton, Murray, Neale, Nelson, Mass. Nelson, Va. Newton, Parker, Va. Patton, Phelps, Philson, Pindall, Quarles, Randolph, Reid, Rhine, Richards, Richmond, Ringgold, Ross, Russ, Sampson, Settle, Shaw, Slacumb, B. Smith, Va. A. Smyth, Va. Storrs, Strout, Vi. Strother, Swearingen, Tarr, Taylor, Terrell, Tomlinson, Tracy, Tucker, Va. Tucker, S. C. Tyler, Wardfield, Wendover, Williams, Va. Williams, N. C.—47.

And the house adjourned to Monday.

Monday, March 6. Many reports on private petitions were received—nearly all unfavorable.

Mr. *Slacumb* submitted a resolution authorising the president of the senate, and speaker of the house of representatives, to close this session by adjournment of their respective houses, on the — day of — next. And, at the instance of the mover, the said resolution was ordered to lie on the table.

Mr. *Cocke*, submitted for consideration the following resolution:

Resolved, That the committee on naval affairs be instructed to enquire into the expediency of reducing the naval establishment of the United States.

Mr. *Cocke* made a few remarks, in the course of which he stated his object to be to effect a reduction of expense by a reduction in the number of officers of the navy, so as to proportion them more equally to the number of vessels in commission. It was to this point only that he wished to call the attention of the naval committee.

The house having agreed to consider the motion by a vote of 67 to 63, it was then, on motion of Mr. *Lowndes*, with the consent of the mover, ordered to lie on the table.

On motion of Mr. *Cocke*, it was then

Resolved, That the secretary of war be directed to report to this house copies of all contracts which have been made for the building or repairing fortifications, arsenals, or magazines, since the year 1815;

and, also, that he report the amount of moneys actually paid, to whom and when, and whether public notice was actually given of said contracts, and what surety was given, in what amount, and whether the surety is still solvent; and whether the contracts have been faithfully performed.

The house then resolved itself into a committee of the whole, Mr. *Nelson*, of Virginia, in the chair, on the bill making appropriations for the support of the navy of the U. States for the current year.

On this bill a rather interesting, but desultory debate took place, which employed the time of the committee until past four o'clock; and which shall be the subject of a future notice.

The speakers were in succession, Messrs. *Smith* of Maryland, *Johnson*, *Storrs*, *Clay*, *Lowndes*, *Trimble*, *Meigs*, *Foot*, *Silsbee*, *Cobb*, and *Fuller*.

Towards the close of the debate, Mr. *Clay* moved that "it be recommended to the house to recommit to the committee of ways and means, the bill entitled: &c. (the appropriation bill) with instruction to prepare the same in reference to an occasional instead of a permanent employment of the squadron in the Mediterranean."

This motion was negatived, 72 to 51—finally the committee rose, and reported the bill to the house.

[The point, on which the debate chiefly turned (says the National Intelligencer,) was the employment of a stationary naval force in the Mediterranean seas, to the continuance of which there appeared to be a strong opposition. It is, however, generally understood, that that force is hereafter to be more frequently relieved.]

In the course of the debate, with a view to the amount of naval force necessary to be provided for, enquiry was made, whether the committee of foreign relations had determined upon any report in regard to our existing relations with Spain, and if so, what would be the nature of that report. The reply to which was, that the committee had not yet come to any determination on that subject; and, not having done so, that the chairman of the committee had it not in his power to state, not having been instructed on that head, what would be the nature of their report.]

Tuesday, March 6. Mr. *Silsbee*, from the committee on naval affairs, who were instructed to enquire into the expediency of suspending for a limited time, so much of the standing appropriation of 1,000,000 dollars, for the increase of the navy as may be consistent with the public service, &c. made a report, the purport of which is, that after due enquiry, they believe that true economy and the best interests of the nation are opposed to a suspension, even for a limited time, of any portion of the sum annually appropriated for the gradual increase of the navy; and that they have not been able to ascertain where any essential reduction can be made in the expenses of the navy, without reducing the establishment.

The report was ordered to lie on the table.

The speaker laid before the house a letter from the secretary of the treasury, transmitting statements, shewing the state of the bank of the United States, on the 25th of February, the 27th of May and 29th Nov. last.

The house then proceeded to the consideration of the report of the committee of the whole on the bill making the annual appropriations for the support of the navy.

Mr. *Cobb* moved to recommit the bill to the committee of ways and means, with instructions so to amend it as to reduce the appropriation for every branch of the service, one-fourth.

This motion produced a debate, in the course of which it was supported by the mover, and Mr. Warfield and Mr. Culpepper, and opposed by Messrs. Smith, of Maryland, Smith, of North Carolina, Trimble, Johnson, Foot, Holmes, Wood, and Lavender.

The question was taken on Mr. Cobb's motion, and negatived 15 or 20 members only, rising in favor of it.

The report of the committee of the whole was then agreed to, and the bill, as it stands, was ordered to be engrossed for a third reading.

And the house adjourned.

Wednesday, March 8. The amendments of the senate to the bill "to provide for taking the fourth census or enumeration of the inhabitants of the United States," were read and concurred in by the house.

The engrossed bill making appropriations for the support of the navy of the United States, for the year 1820 was read the third time, passed and sent to the senate.

The house then resolved itself into a committee of the whole, Mr. Nelson of Va. in the chair, on the bill making appropriations for the support of the military establishment of the United States.

[To the same committee was to-day referred the bill respecting the military establishment.]

The last mentioned bill was first taken up, and, having been read—

Mr. Cannon moved to strike out all the first section of the bill excepting the enacting clause, and in lieu thereof to insert the following:

"That the military peace establishment of the United States shall consist of such proportions of artillery, engineers, infantry and riflemen, as the president of the United States shall judge proper to retain in service, not exceeding in the whole, including officers, non-commissioned officers and privates, five thousand."

Mr. Cannon supported this motion by a speech of some length on the necessity of retrenchment, occasioned by the state of the finances; the inutility of an army in peace—the militia being willing and competent to perform any occasional service in which an army may be employed.

Mr. Clay avowed himself to be in favor of reducing the army, in preference to resorting to taxes, loans, or to an invasion of the sinking fund, to meet the expenses of the government—if, on the report of the committee of foreign relations, the attitude of the country should not be changed to that of war, or to that which should menace war. Meanwhile, he was disposed not to act on the bill now before the committee, but to defer it for the present, for the purpose of acting on the military appropriation bill. If, after the report of the committee of foreign relations should be made, it should be thought expedient to reduce the army, the appropriations would shape themselves to what should be the actual force and condition of the military establishment. He therefore moved to lay this bill on the table, with a view to take up the appropriation bill.

The question was taken on this motion without debate, and decided in the affirmative.

The bill making appropriations for the support of the military establishment, for the current year, was then taken up.

On coming to the appropriation for the support of the military academy for the present year—

Mr. Cannon spoke against the appropriation, and moved that the bill should be laid on the table—negatived. He then moved the appropriation of a

less sum—also rejected. On other items much and various debate followed, in the course of which the propriety of a reduction of the army was essentially entered into. But the several items as originally reported in the bill, so far as the committee of the whole went through it, were agreed to. The committee rose at 4 o'clock, having the appropriation of 800,000 dollars, for fortifications, under consideration.

THURSDAY'S PROCEEDINGS.

In the senate—The engrossed bill to change the mode of selling the public lands was read the third time, and passed by the following vote:

YEAS.—Messrs. Burrill, Dana, Dickerson, Eaton, Eliot, Gaillard, Hunter, King of Alab. King of N. Y. Lanman, Leake, Lowrie, Macon, Mellen, Morrill, Otis, Palmer, Parrott, Pleasants, Roberts, Ruggles, Sanford, Stokes, Taylor, Tichenor, Trimble, Van Dyke, Walker of Alab. Williams of Mis. Williams of Ten. Wilson—31.

NAYS.—Messrs. Brown, Edwards, Johnson, of Ken. Johnson of Lou. Logan, Noble, Smith—7.

The engrossed bill further to suspend for a limited time the sale or forfeiture of lands for failure in making payment, was also read the third time and passed; and both bills sent to the other house for concurrence.

The bill to establish a uniform system of bankruptcy throughout the United States, was taken up. The bill occupies 50 printed pages, and it was only read through, and then postponed until to-morrow.

The following message was received from the president of the United States, by Mr. J. J. Monroe.

To the president of the senate, pro tempore.

I transmit to the senate copies of sundry papers having relation to the treaty of the 22d February, 1819, between the United States and Spain, which have not before been communicated to the senate.

JAMES MONROE.

Washington, 8th March, 1820.

The message and documents were read, and 1000 copies thereof ordered to be printed.

The documents, it is said, shed very little additional light on the state of our relations with Spain. A letter from Mr. Forsyth to the secretary of state, dated the 27th Nov. last, informs that the Spanish government had refused to receive his remonstrance of the 18th Oct. at which he felt much offended, and seems to have resolved to leave Madrid by the 1st of January. Gen. Vivas was at Madrid on the 15th Nov. and had accepted the appointment of minister to the U. S.—but when he was to proceed or what was to be done, Mr. Forsyth does not appear to have known. If, on seeing the documents at length, there is any thing worth the room it will occupy in the REGISTER, it shall be inserted.

In the house of representatives. Mr. Forsyth, from the committee on foreign relations, made a report accompanied with a bill, to authorize and require the president to take possession of and occupy the territories of East and West Florida. Twice read and referred to a committee of the whole on the state of the union. The report, generally, states the long delay of Spain to do justice to the United States, and the want of hope in amicable negotiation; and the bill provides for the temporary government of the country, when occupied by the U. States.

The house in committee of the whole, proceeded to consider the bill making military appropriations, and agreed to the item for fortifications at 800,000,

as originally recommended by the committee of ways and means.

In our next these things shall be noticed at length. Time will not permit us to give them at present.

CHRONICLE.

Appropriation bills. The time spent in debating on the Missouri bill, has delayed the passage of the annual appropriation bills by congress, by which thousands of individuals have suffered. Even the revolutionary pensioners cannot yet be paid, though their pensions were due on the 4th instant. This will cause many useless and fatiguing journeys.

Pirates. On the 2d inst. John F. Ferguson, William Murphy, Thomas O'Brian, Charles Weaver, Isaac Allister, John Jackson, and Isaac Denny, convicted of piracy, committed on board of the *La Irresistible* privateer, which they ran away with from Margaritta, were brought before his honor judge Bland, who, after a short but impressive address, pronounced upon them the sentence of death. They were conducted back to jail, there to await the execution of the sentence.

Old bank of the United States. The trustees of the old bank of the United States, have declared a further dividend of one and three quarters per cent—equal to seven dollars upon each share of the stock of the late bank of the United States; which will be paid to the stockholders, or their legal representatives, at their late banking house in Philadelphia, on or after Monday the 24th of April next, (being a second extra dividend, and making five and three quarters per cent. or twenty three dollars, over and above the par amount of said shares.

Philad. paper.

Fire. Many attempts, and one or two of them partially successful, have been made to conflagrate the town of Petersburg, Va. The people are much alarmed, and a very strict watch is kept up.

Flour. The price of this article, at Philadelphia, Baltimore and Richmond, is \$475 per barrel, and dull at that very low price.

Oysters. The laws have been amended, and the Virginians seem determined that the carrying trade in oysters shall be secured to themselves. The penalties against persons from other states fishing in their rivers are very severe.

Two Hogs have been exhibited in Baltimore, which, together, weighed 1743 lbs. raised in Lancaster county, Pennsylvania.—One of them was 6 feet and 3 inches in girth round the body. His length from the root of the tail to the end of the snout, was nine feet and an inch.—This one was 18, and the other 14 months old.

An ox is exhibiting at New York, weighing three thousand and eighty four pounds.

Steam Ship. An elegant steam ship, built by M. Eckford, at New York, is to ply between that port and New-Orleans, touching at Charleston, and Havana. She is called the "Robert Fulton." Success to her!

New-York. M. Noah's project of purchasing Grand Island, to be settled by Jews, has been rejected in the legislature by a great majority.

Pennsylvania. The report of the committee of enquiry, which exonerated gov. Findlay from all the charges preferred against him, has been accepted by the house of representatives—ayes 62, noes 31.

The legislature of Pennsylvania state has passed the "improvement bill," by which \$600,000 are appropriated to public works. An additional

bill, appropriating 300,000 dollars more, it was expected would be reported.

A convention has been held at Carlisle, for the purpose of nominating a candidate for governor in opposition to Mr. Findlay. Gen. Hiester has been nominated for that purpose.

Virginia. A bill to stay executions, after being debated for five days in the house of delegates, was rejected by a majority of 38 votes.

Ohio. On a late investigation, the treasurer was found to be deficient in the amount of \$11,431 78: he has resigned.

The *Richmond Enquirer* says "It is pretty well ascertained that the deficit in the U. S. branch of this city is at least \$60,000"—by the late acts of one of the clerks.

Legislature of Maryland. Mr. Kennedy asked leave to introduce a bill to liberate the Jews from the irreligious restrictions which they are subject to in this state—but leave was refused.

Match against time. A person last week rode on horseback, from Fairfield in Con. to New York, fifty five miles, in two hours and a half. He performed this on eight horses, and was at full peed all the time, except the time lost in mounting and dismounting. A bet of 1000 dollars depended on its being done in less than three hours.

Spontaneous combustion. The case of spontaneous combustion mentioned in the Register, page 590, last vol. has been amply confirmed at the mint of the United States, where some linseed oil was poured upon a quantity of hickory ashes—no change of temperature was perceived for 46 hours, when the mixture was fairly ignited, and in a short time emitted flame, which continued an hour. After the flame the ignition continued 18 hours, and then the ashes were poured out of the vessel.

General Clark, the governor of Georgia, has, on his own responsibility, drawn ten thousand dollars from the contingent fund of that state, for the relief of the sufferers by the late fire at Savannah.

The planters in the vicinity of Savannah have established depots of rice, coin, &c. where the distressed citizens can obtain it, "without money and without price."

Legislature of Delaware.

*Fellow citizens of the senate,
and of the house of representatives,*

Since my communication to the general assembly of the 6th of January last, there have been collected in the county of Sussex, and cleaned, boxed up and stored in the court house at Georgetown, four hundred and forty stands of the public arms of the state, with their accoutrements: a copy of the account of the expenses of collecting, cleaning and storing these arms, is submitted herewith.

According to returns made, it appears that there now are, of the public arms of the state, three hundred and fifty stands stored in the court house at New Castle, three hundred and eighty-three stands stored in the court house at Dover, and four hundred and forty stands stored in the court house at Georgetown; amounting in the whole to eleven hundred and seventy-three;—so that of the fourteen hundred stands belonging to the state at the close of the late war, there are yet two hundred and twenty-seven stands that have not been collected or returned to the proper office:—of the state; of these, it is known that a militia officer in New Castle county, and another in Kent county, received enough to arm their respective companies, and that they have hitherto wholly neglected to return them, although frequently urged to do so by the military commissaries of those counties respectively: I would therefore suggest to the legislature the propriety of directing such measures to be taken as will compel a return of the public arms and accoutrements that were obtained by these officers, and also of all others now in the hands of individuals. In June last, two hundred and twenty stands of arms (without equipments) were delivered to this state by the government of the United States, under the provisions of the act of congress of the 23d April, 1808, entitled "An act making provision for arming and equipping the whole body of the militia of the United States:" these arms were, by my orders, deposited in the arsenal at New Castle, and are now there subject to the directions of the general assembly.

During the last summer, the commissioners, appointed under the act entitled, "An act authorizing a general assessment of the real and personal property of this state," completed the assess-

ment of Sussex county. From statements and accounts made and presented, under the provisions of the act entitled, "A supplement to an act entitled an act authorizing and directing a general assessment of the real and personal property of this state," and of the act entitled "An additional supplement to an act entitled an act authorizing and directing a general assessment of the real and personal property of this state," it appears that the pay of the commissioners and their clerk, for making the assessment of Sussex county, amounts to the sum of three thousand one hundred and twenty-eight dollars. Orders have been drawn on the state treasurer, under the provisions of the two acts of assembly last above mentioned, in favor of the three surviving commissioners and their clerk, respectively, for three-fourths of the sums to which they are respectively entitled for their services in assessing the said county, according to the acts of assembly aforesaid and the said statement. And the account of William Wolfe, deceased, for his services as one of the commissioners in assessing the other two counties, has been adjusted by the secretary of state, and paid by the state treasurer, under the provision of the third section of the act of assembly last above mentioned.

I have lately received a report from the agent on behalf of this state to settle the claim against the United States, for military expenditures made by this state in support of and in consequence of the late war, in which he informs me "that so much of the claim as consist of the pay and provisions of the militia, the general government has agreed to adjust upon principles which appear to be unobjectionable—but that the adjustment of most of the other items remains yet embarrassed with serious difficulties, growing out of the want of vouchers."—A copy of this report is herewith submitted.

It has been lately settled by a decision of the court of appeals, that the recognition of a public officer is not a lien on his real estate. I would therefore suggest the propriety of providing by law that, in future, the recognizances entered into by all public officers, for the due performance of all the duties of their offices, shall operate as liens on the real estates of all the officers entering into them, and also of their surties. And I would suggest the propriety of also increasing the sums for which such recognizances should be given, particularly in the case of sheriffs.

Much inconvenience is now occasionally experienced by purchasers of land at sheriff's sale in getting possession thereof; and when the defendant, or tenant, at the time of the sale, refuses to give up the possession, the purchaser is obliged to be at the expense and trouble of an action of ejectment to recover the land bought: I therefore recommend to the legislature the propriety of providing by law a remedy for such cases.

As the period rapidly approaches when the charters of all the banks of the state will expire, prudence suggests the propriety of acting on the subject during the present session of the general assembly. That the legislature will not re-charter any of them cannot be supposed, because the state itself, is very largely concerned in one of them, being a stockholder to near one-third of its capital, and because the good of the people imperiously requires, a banking capital in the state: on the other hand it cannot be presumed that they will all be re-chartered, because it is most evident, and will not be denied by any person who has thought on the subject, that there are now too many. One banking institution in the state, with a branch in each county, seems to be absolutely necessary for the public good. Such an establishment, with a portion of its capital reserved for the use of the state, and to be subscribed as the legislature might direct would be amply sufficient for the public good, and if conducted with prudence, would become highly respectable, and be of the greatest utility, not only to the people but to the state itself. I would therefore recommend this subject to the serious consideration of the legislature, as being of the greatest importance. It should be examined and acted on in the most calm and dispassionate manner, and with a single eye to the public good.

I beg leave, fellow citizens, to impress on your minds the great importance of affording the most efficient protection to the agricultural and manufacturing interests of the state, both of which are at present in a very depressed condition, and require the fostering care of the people and of the government: in regard to these subjects, your wisdom and experience may devise measures of great utility. In aid of the first, however, I would suggest for your consideration, the propriety of offering sufficient premiums in each county. In support and encouragement of the latter, I would recommend the adoption of all such measures, both by the legislature and the people, as will tend to exclude the fabrics of foreign nations and to bring into general use those manufactured by our own citizens. To the general government of the union, it is true we must look for the most important support of our manufactures: much however may be done by the governments and people of the several states, and so far as it is in your power to aid the manufactures of our own or of our sister states, your zealous and active exertions will not, I trust, be withheld.

With this message you will receive a resolution of the legislature of the state of Vermont, proposing an amendment to the constitution of the United States, having for its object an uniform mode of choosing representatives in congress and electors of president and vice-president of the United States—and also a copy of certain proceedings of the house of representatives of the state of South Carolina, disapproving the amendment proposed by the state of North Carolina to the constitution of the United States to establish a uniform mode of electing electors of president and vice-president of the United States.

And I also communicate a resolution of the legislature of Pennsylvania, proposing an amendment to the constitution of the U. States, providing that congress shall make no law to erect or incorporate any bank or other monied institution, except within the district of Columbia; and that every bank or other monied institution which shall be established by the authority of congress,

shall, together with its branches and offices of discount and deposit, be confined to the district of Columbia.

Since the close of the last session of the general assembly, I have received, for the use of the state, the following laws, journals, and state papers, viz:

This state's quota of the laws of the United States, passed during the first and second sessions of the fifteenth congress—of which twenty-one copies of the acts of each session have been delivered to the clerk of the house of representatives, and nine copies to the clerk of the senate, for the use of the general assembly, and the rest have been distributed according to the provisions of law.

One copy of state papers, 2d and 3d sessions 13th congress, and 1st session 14th congress, all of which are placed in the office of the secretary of state for the use of government.

Two copies state papers, 2d session 14th congress, of which one copy is deposited in the secretary's office, and the other has been delivered to the clerk of the house of representatives for the use of the general assembly.

Five copies of state papers, 1st session 15th congress, and four copies state papers, 2d session 15th congress, and seven copies journals of the United States' senate and house of representatives during the 2d session 15th congress—of which one copy of each has been delivered to the clerk of the house of representatives, another to the clerk of the senate, a third deposited in the secretary's office for the use of the executive department, and the others remain in the secretary's office, to be disposed of according to the provisions of the resolution of congress of the 27th December, 1813.

Three copies of the laws of Vermont, October session 1818, of Pennsylvania, December session 1818, of Massachusetts, January session 1819, and New Hampshire, June session 1819, and three copies land laws of United States, of which one copy of each has been delivered to the clerk of the house of representatives, another to the clerk of the senate, and the third deposited in the secretary's office.

Two copies laws of Illinois, February session 1819, of which one copy has been placed in the office of the secretary of state, and the other delivered to the senate for the use of the general assembly.

One copy of the laws of Kentucky of the December session 1817, and the December session 1818, one copy of Seybert's Statistical Annals, one copy of the laws of Louisiana, to the January session 1818, inclusive, which are deposited in the office of the secretary of state for the use of the government.

It is with great regret that I announce to you the death of Henry Mollenstun, esquire, the governor elect of this state—a citizen of distinguished worth and unsullied character. This unfortunate event presents a new case, not provided for by the constitution or laws of the state.

JOHN CLARK,

January 4, 1830.

Banks—and National Currency.

REPORT OF THE SECRETARY OF THE TREASURY.

TREASURY DEPARTMENT,

12th February, 1830.

SIR—In obedience to a resolution of the house of representatives, passed on the 1st of March, 1819, directing "the secretary of the treasury to transmit to congress, at an early period in the next session, a general statement of the condition of the bank of the United States, and its offices, similar to the return made by the bank; and a statement, exhibiting, as nearly as may be practicable, the amount of capital invested in the different chartered banks in the several states and the district of Columbia, the amount of notes issued by those banks and in circulation, the public and private deposits in them, the amount of loans and discounts made by them and remaining unpaid, and the total quantity of specie they possess; and, also, to report such measures as, in his opinion, may be expedient to procure and retain a sufficient quantity of gold and silver coin in the United States, or to supply a circulating medium, in place of specie, adapted to the exigencies of the country, and within the power of the government." I have the honor to submit the subjoined report and statements.

Statement A exhibits the condition of the bank of the United States and its offices, on the 30th of September, 1819.

Statement B exhibits the amount of bank capital, authorised by law, during the years 1814, 1815, 1816 and 1817. As this statement is founded upon the applications made to the treasury under the acts imposing stamp duties, it is believed to be substantially correct. The average dividends upon which the stamp duty was paid, during those years;

amounted to about 7½ per cent. upon the nominal amount of capital; it is, however, a matter of general notoriety, that the dividends upon bank capital, actually paid, exceeded that rate. If it is assumed, that the dividends declared, and upon which the duty was paid, amounted, during those years, to 10 per cent. then the capital actually paid, in the year 1817, instead of being more than \$125,000,000, as it is exhibited in statement B, will be found to be about \$94,000,000; but, when it is recollected that, after the first payment required by the charters of the different banks, they have generally gone into operation, it is probable, that a considerable proportion of the remaining payments have added nothing to their active capital. This fact being assumed, and a deduction being made of the amount of permanent accommodation enjoyed by the stockholders, in their respective banks, the active bank capital of the United States may be fairly estimated at a sum not exceeding \$75,000,000. That these deductions ought to be made, in an attempt to ascertain the real amount of bank capital, cannot, it is presumed, be contested. If a stockholder, to the amount of 10,000, has a permanent accommodation, in the bank, of \$8,000, he has in fact but \$2,000 of capital in the bank. This is equally true when a portion of his subscription has been paid with his own note, however well endorsed: so long as the note remains unpaid, it adds nothing to the real capital of the bank.

Such, it is believed, has been the process by which the capital of most of the banks has been formed, which have been incorporated since the commencement of the late war. Since that period, banks have been incorporated, not because there was capital seeking investment; not because the places where they were established had commerce and manufactures which required their fostering aid; but because men, without active capital, wanted the means of obtaining loans, which their standing in the community would not command from banks or individuals having real capital and established credit. Hence, the multiplicity of local banks, scattered over the face of the country, in particular parts of the union; which, by the depreciation of their paper, have levied a tax upon the communities, within the pale of their influence, exceeding the public contributions paid by them.

Statement C presents the condition of the state banks from which returns have been received, or have been transmitted by the secretaries of state of different states, in conformity with the request of the treasury department. By comparing this statement with statement B, it will be perceived that it is very imperfect. Independently of the banks which have been created since the year 1817, it will be discovered, that bank capital to the amount of more than \$18,000,000, comprehended in statement B, is not embraced in it. As the amount of bank capital exhibited in statement C is \$72,000,000, and its specie \$9,828,000, the whole specie possessed by the state banks may be estimated at \$12,250,000; if to this sum be added the specie in the possession of the bank of the United States, and its offices, the specie capital of all the banks in the United States may be estimated at \$15,500,000. There are no means of ascertaining, with any degree of precision, the amount of specie in circulation; it is probable, however, that it does not exceed \$4,500,000. Assuming this amount to be nearly correct, the whole metallic currency of the union may be estimated at \$20,000,000. Applying the same rule for ascertaining the circulation of the banks, not embraced by statement C,

which has been employed to determine the specie, the whole amount of bank notes, in circulation, may be estimated at \$46,000,000. It is probable, however, that this estimate is too high; as, according to the general practice of banks, all notes issued are considered in circulation, which are not in the possession of the bank by which they were issued. A reasonable deduction being made from the notes supposed to be in circulation, but which are, in fact, in the possession of other banks, it is probable that the actual circulation, both of paper and specie, is less, at this time, than \$45,000,000. By the same mode of calculation, the whole amount of discounts may be estimated at \$156,000,000.

The destruction or loss of the returns made to the treasury, before the year 1816, by the banks in which the public money was deposited, prevents any satisfactory comparison being drawn between their condition before and since that period. Comparative statements, however, have been received from sixteen banks in different parts of the union, shewing their situation on the 30th day of September, in the years 1813, 1815 and 1819. By statement D it appears that those banks, at the first period, with a capital of \$6,903,262, and with \$3,059,149 of specie in their vaults, circulated \$6,845,344 of their notes, and discounted to the amount of \$12,990,975; at the second period, their capital was \$8,852,371; specie, \$1,693,918; circulation, \$9,944,757; and discounts \$15,727,218; and at the third period, their capital was \$9,711,960; specie, \$1,726,065; circulation, \$4,259,234; and discounts, \$12,959,560.

By statement B, already referred to, it has been shewn that, in the year 1814, the nominal bank capital in the United States exceeded \$80,000,000. It is understood, that a large addition was made to it in that year, in several of the states. If it be admitted that such addition amounted to \$15,000,000, the bank capital in operation, in the year 1813, may be stated at \$65,000,000. Allowing to this capital the same amount of specie, circulation and discounts, as was comparatively possessed by the banks comprehended in statement D, the estimate will be, specie \$28,000,000, circulation \$62,000,000 and discounts \$117,000,000. In 1815, the bank capital had increased to \$88,000,000; whilst, upon the same principle of calculation, the specie would have been estimated at \$16,509,000, circulation at \$99,000,000, and discounts at \$150,000,000. Applying this principle to the \$125,000,000 of bank capital in operation during the year 1819, the specie possessed by all the banks would amount to \$21,500,000, circulation \$53,000,000, and discounts 157,000,000 dollars.

These last results, with the exception of the discounts, very materially differ from those which have been obtained by the mode of calculation previously adopted. They, nevertheless, furnish materials which may be useful in the progress of this enquiry. From them the following deductions may be drawn:

- 1st. That, in the year 1813, the circulation of bank notes was nearly equal to the bank capital:
- 2d. That, in the year 1815, it exceeded the capital by one eighth:
- 3d. That, in the year 1819, it was less than the capital nearly in the proportion of 1 to 2.5:
- 4th. That, whilst the amount of bank capital has increased since 1813, from 65 to 125 millions, the metallic basis, upon which the circulation of notes is founded, has decreased in the proportion of 15.5 to 28; being equal to 44.6 per cent.
- 5th. That the circulation of notes in the year

1819, in proportion to the specie in the possession of the banks, exceeded that of 1813, 25.9 per cent.

6th. That in the year 1813, the discounts, in proportion to the bank capital employed, exceeded those of 1815, in the ratio of 18 to 17, and those of 1819, in the ratio of 18 to 12.

7th. That the increase of bank notes in circulation, between the years 1813 and 1815, exceeded the increase of discounts during the same period by 4,000,000 dols. whilst the specie in the vaults of the banks, was diminished 11,000,000 dols.

8th. That, whilst, between the years 1815 and 1819, an addition of 37,000,000 dols. has been made to the nominal bank capital, but 6,000,000 dols. have been added to the aggregate amount of discounts.

It is probable, that, between the year 1811 and the year 1813, a considerable addition was made to the paper circulation of the country. From a return of the former bank of the United States, made to the treasury in 1808, it appears that, with 15,300,000 dols. of specie, it circulated only 4,787,000 dols. of notes. Another return made in 1810, shews its condition was not materially changed. Shortly after the expiration of its charter, bank capital, to a great amount, was incorporated in some of the states. The expenditures produced by the war, which was declared in 1812, without doubt, contributed, in some degree, to produce the difference between the condition of the sixteen banks already referred to, and that of the former bank of the United States. If it be admitted, however, that the circulation in 1813 was not redundant, it must have become excessive in 1815. An increase of the currency, in the space of two years, in the proportion of 99 to 62, even if it had been wholly metallic, could not have failed to have produced a very great depreciation, but, when it is considered that, not only the increase, but the whole circulation consisted of paper, not convertible into specie, some idea of its depreciation may be formed. The depreciation, however, was not uniform in every part of the union. The variation in the degree of depreciation depended not only upon the greater issues of banks in one section of the nation, than in others; but, also, upon the local advantages which they enjoyed as to commerce. It is impossible to determine, with precision, where the most excessive issue of bank notes occurred. Statement E, which exhibits the rate of exchange between the principal cities to the east of this place and London, and the price of bills at New York upon Boston, Philadelphia and Baltimore, during the years 1813, 1814, 1815, and 1816, may be considered presumptive evidence of that fact. So far as it can be relied upon for that purpose, Baltimore was the point of greatest depreciation among the above mentioned places. This is probably true; as it is known that the banks in that place made greater advances to the government in the loans which it obtained during the late war, in proportion to their capital, than those of Philadelphia, New York and Boston. But the greatest depreciation of the currency existed in the interior states, where the issues were not only excessive, but where their relation to the commercial cities greatly aggravated the effects of that excess.

This statement may also assist in explaining the cause of the necessity which existed in 1814, for the suspension of specie payments by the banks. From the commencement of the war until that event, a large amount of specie was taken out of the United States by the sale of English government bills, at a discount, frequently of from 15 to 20 per cent. Im-

mediately after the suspension, they commanded a premium in those places where the banks had suspended payment, which gradually rose to 20 per cent. whilst at Boston they remained at a discount of about 14 per cent. until February, 1815.

Whatever may have been the degree of depreciation of the currency, in 1815, it continued to augment throughout the first six months of the year 1816, if the rate of exchange with London is considered conclusive evidence of that fact. The excessive importations of British merchandize during that period, and in the preceding year, might indeed account for the increase of premium paid upon sterling bills, and was, probably, one of the principal causes of it. The great fluctuations which occurred in the latter part of that period, furnish some reason, however, for ascribing them, in some degree, to changes in the value of the currency, in which their price was calculated, rather than to the ordinary principles of exchange. It is more probable that the currency in those places where it was not convertible into specie, fluctuated in value according to the efforts which were made, in particular places, to prepare for the resumption of specie payments, than that the balance of payment between the two countries should have varied to such an extent as is indicated by the sudden variations which occurred during that period in the rate of exchange. So far as these fluctuations are ascribable to the currency in which the rate of exchange was determined, a considerable appreciation of that currency took place in the last months of the year 1816. From that period until the present time, the circulation has rapidly diminished; and all the evils incident to a decreasing currency have been felt in every part of the union, except in some of the eastern states.

If, as previously stated, the circulation of 1815 be admitted to be the amount required to effect the exchanges of the community with facility and advantage, and that, in the year 1815, that circulation was extended to \$99,000,000, which was, in some degree, augmented in 1816, the extent of the diminution of the currency, in the space of three years, may be received. But it is probable that the currency in 1815 exceeded \$99,000,000. The banks, upon whose situation that estimate is founded, were established at a period when the practice of dispensing with the payment of those portions of their capital falling due after they went into operation, had not been generally introduced. Some of them did not suspend their specie payments during the general suspension. The rest were among the first to resume them, and have continued them to the present time. It cannot be expected that banks which went into operation during the war, and after the general suspension had occurred, were conducted with an equal degree of prudence and circumspection. A reasonable allowance being made for bank notes supposed to be in circulation at that period, but which were, in fact, in the possession of other banks, and for the excess of issues beyond the estimate, the circulation may, it is believed, be safely calculated at not less than \$110,000,000.—The paper circulation in 1813 has been estimated at \$62,000,000. At that period, however, gold and silver formed a substantial part of the currency.—The condition of the old bank of the United States, in 1810, and of the sixteen banks, in 1813, proves that the demand for specie from the vaults of the banks was inconsiderable. It is, therefore, probable that the whole circulation of 1813 amounted to \$70,000,000. In 1815, it is estimated to have risen to \$110,000,000; and this amount was probably aug-

invented in 1816. At the close of 1819, it has been estimated, upon data believed to be substantially correct, at \$45,000,000. According to these estimates, the currency of the U. States has, in the space of three years, been reduced from \$110,000,000 to \$45,000,000. This reduction exceeds fifty nine per cent. of the whole circulation of 1815. The fact that the currency in 1815 and 1816 was depreciated, has not sensibly diminished the effect upon the community of this great and sudden reduction. Whatever was the degree of its depreciation, it was still the measure of value. It determined the price of labor, and of all the property of the community. A change so violent could not fail, under the most favorable auspices in other respects, to produce much distress, to check the ardor of enterprise, and seriously to affect the productive energies of the nation. The reduction was, in fact, commenced under favorable auspices. During the year 1817, and in the greater part of 1818, all the surplus produce of the country commanded, in foreign markets, higher prices than ordinary. The rate of foreign exchange afforded no inducement for the exportation of specie for the purpose of discharging debts previously contracted. The only drain, to which the metallic currency was subject, was the demand for it, for the prosecution of trade to the East Indies and to China. In this trade, specie being the principal commodity, and indispensable to its prosecution, the amount exported during those years was very great, and seriously affected the amount of circulation, by compelling the banks to diminish their discounts.

Notwithstanding the drains for this commerce, during these years, was unusually large, every other circumstance was favorable to the restoration of the currency to a sound state, with the least possible distress to the community. The capacity of the country to discharge a large portion of the debts contracted with banks, and which had occasioned their excessive issues, was greater than at any former period, and than it probably will be again for a lapse of successive years. The effort to reduce the amount of currency during those years, though successful to a very considerable degree, was not pursued with sufficient earnestness. In the latter part of 1818, when the price of the principal articles of American production had fallen nearly fifty per cent. in foreign markets; when the merchant needed the aid of additional loans to sustain him against the losses which he had incurred by the sudden reduction in the price of the commodities he had exported; he was called upon to discharge loans previously contracted. The agriculturist, who saw his income reduced below his indispensable necessities; the manufacturer who was not only struggling against foreign competition, but who saw the sale of his manufactures reduced by the incapacity of his customers to buy; in fact, all classes of the community, under circumstances so adverse to the command of funds, were subjected to curtailments wherever they had obtained discounts.

All intelligent writers upon currency agree that where it is decreasing in amount, poverty and misery must prevail. The correctness of the opinion is too manifest to require proof. The united voice of the nation attests its accuracy. As there is no recorded example in the history of nations of a reduction of the currency, so rapid and so extensive, so but few examples have occurred, of distress so general and so severe, as that which has been exhibited in the United States. To the evils of a decreasing currency are superadded those of a deficient currency. But, notwithstanding it is defi-

cient, it is still depreciated. In several of the states the great mass of the circulation is not even ostensibly convertible into specie at the will of the holder. During the greater part of the time that has elapsed since the resumption of specie payments, the convertibility of bank notes into specie has been rather nominal than real in the largest portion of the union. On the part of the banks, mutual weakness had produced mutual forbearance. The extensive diffusion of bank stock among the great body of the citizens, in most of the states, had produced the same forbearance among individuals. To demand specie of the banks, when it was known that they were unable to pay, was to destroy their own interests, by destroying the credit of the banks, in which the productive portion of their property was invested. In favor of forbearance, was also added the influence of the great mass of bank debtors. Every dollar in specie drawn out of the banks, especially for exportation, induced the necessity of curtailments. To this portion of the community all other evils were light, when compared with the imperious demands of banks. Their exertions to prevent the drain of specie in the possession of those who controlled their destiny, equalled the magnitude of the evils which were to be avoided. In most parts of the union this forced state of things is passing away. The convertibility of bank notes into specie is becoming real wherever it is ostensible. If public opinion does not correct the evil in those states where this convertibility is not even ostensible, it will be the imperious duty of those who are invested with the power of correction to apply the appropriate remedy.

As the currency is, at least in some parts of the union, depreciated, it must, in those parts, suffer a further reduction before it becomes sound. The nation must continue to suffer until this is effected. After the currency shall be reduced to the amount which, when the present quantity of the precious metals is distributed among the various nations of the world, in proportion to their respective exchangeable values, shall be assigned to the United States; when time shall have regulated the price of labor, and of commodities, according to that amount; and when pre-existing engagements shall have been adjusted, the sufferings from a depreciated, decreasing, and deficient currency, will be terminated. Individual and public prosperity will gradually revive, and the productive energies of the nation resume their accustomed activity. But, new changes in the currency, and circumstances adverse to the perpetuity of the general prosperity, may reasonably be expected to occur. So far as the changes depend upon the currency, their recurrence, to an extent sufficient to disturb the prosperity of the nation, would be effectually prevented, if it could be rendered purely metallic. In that event, we should always retain that proportion of the precious metals which our exchangeable commodities bear to those of other nations. The currency would seldom be either redundant or deficient, to an extent that would seriously affect the interest of society. But when the currency is metallic, and paper convertible into specie, changes to such an extent, it is believed, will frequently occur.

The establishment of banks which are restrained from issuing notes of small denominations, furnishes great facilities for the transmission of money, and increases the efficiency of the capital subject to their control, to the extent of the credit employed by them. The degree of facility afforded by them for

the transportation or transmission of money, depends upon the extent of country within which their notes circulate, and preserve a value equivalent to specie. Ordinarily, this extent is determined by the interior trade of the country; they will circulate through the whole extent of country, the produce of which is carried for sale to the place of their establishment. If they are established only in the principal commercial city of the nation, their notes will circulate through the whole extent of its territory, and afford the greatest possible facility for the transmission of money. If they are established in several of the commercial cities, their circulation will be circumscribed by the sections of country, the inhabitants of which trade to those cities.—The facility for transmitting money will be diminished by their establishment. But if banks should be established in all the interior towns, this facility would be impaired to a still greater degree. In that event, their notes would circulate within very narrow limits; but, within those limits, the notes of the banks in the commercial cities would no longer form part of the circulation. Should they, by accident, be carried within it, the first individual having remittances to make, and into whose hands they might come, would use them for that purpose.

The degree of credit which a bank can employ, in proportion to its capital, depends upon a variety of circumstances. If the community reposes great confidence in the prudence and integrity of those who direct its concerns; if the capital employed is small in proportion to the demand for the transmission of money; if there is no other bank, whose local situation repels its circulation from those sections of country, the produce of which is ultimately carried to the place where it is established, the credit which it will be able to employ will be very great. Where all these facilities are wanting, the extent of the credit which it will employ will be very inconsiderable. The additional efficiency which in the latter case, will be imparted to capital invested in banks, will, it is believed, not counteract the evils which necessarily result from their establishment.

Among the advantages which have been supposed most strongly to recommend their establishment, especially in a community whose resources are rapidly expanding, their capacity suddenly to increase the currency to the utmost demand for it, has been considered the most important.

In a country where the currency is purely metallic, no considerable addition can be made to it, without giving, at the time of its acquisition, articles in exchange of equal value. No addition can be made to the currency without affecting, to the extent of such addition, the enjoyments of the community. The amount so added will, to the same extent, diminish the quantity of articles which would otherwise be imported into the country for domestic consumption, or for re-exportation.

Ordinarily, the currency of one country will not be exported to another, because its value in every country is nearly the same. It will not, therefore, like other commodities, command a commercial profit upon exportation. It will be taken from one country to another, only when the price of commodities in the former is so high as to produce a loss in the latter, equal to the expense of transporting specie. It is this condition, annexed to every acquisition to the currency of a state, when it is purely metallic, of diminishing, to the same extent, the enjoyments of the community, which affords the most efficient protection against its becoming redundant. It is equally efficient in guarding against

a deficiency, to an extent that can seriously affect the interest of the community. But this condition is not annexed to the increase of the currency, by the issue of bank notes, even when convertible into specie. The notes, by which the currency is suddenly augmented, do not, in any degree, diminish the enjoyments of the community. No equivalent is, by such issue, transferred to another community, as is invariably done when an acquisition is made to a metallic currency. Whenever the currency can be augmented, exempt from such transfer, it must be subject to some degree of fluctuation in quantity. Every addition made to the currency by the issue of bank notes, changes the relation which previously existed between the amount of the currency, and the amount of the commodities which are to be exchanged through its agency.—Their issue depends not upon receiving, in exchange, articles of equal value; but, upon a pledge of the credit of one or more individuals, to the amount of such issue. No evil can result to the community from the advance of the capital of a bank in exchange for the credit of individuals. In that case, no addition is made to the amount of the currency previously in circulation. It is perfectly immaterial to society, whether this capital be lent by individuals or by corporations. The relation between the currency and the exchangeable commodities of the state is not disturbed. But, when their credit is greatly extended, the currency is expanded, and that relation is deranged. An expansion of the currency, through the agency of banks, will generally occur only in periods of prosperity. During such periods, enterprise will be fostered, industry stimulated, and the comfort and happiness of the people advanced without the fictitious aid of an expansive currency. But there can be no doubt that a sudden increase of the currency during periods of prosperity, through the agency of bank issues, gives additional force and activity to the national enterprise. Such an increase will be followed by a general rise in the value of all articles, especially of those which cannot be exported.—The price of lands, houses, and public stock will be augmented, in a greater degree, than if no such increase had taken place.

If these prices could be maintained; if they could even be protected against sudden reduction, they would be cause of gratulation rather than of complaint. But, the expansion of the currency by the issue of paper, in a period of prosperity, will inevitably be succeeded by its contraction in periods of adversity. The extent to which the currency may be contracted, through the agency of banks, depends upon the use which they may have made of their credit. The excess of their discounts beyond their capital actually paid, determines the amount of the credit which they have employed. Thus, in 1813, the capital of the banks in the United States has been estimated at 65,000,000 dols. and their discounts at 117,000,000 dols. The extent to which their credit was then employed was 52,000,000 dols. Their circulation, at the same period, has been estimated at 62,000,000 dols. In this estimate no allowance was made for notes stated to be in circulation, but which were probably in the possession of other banks. A reasonable deduction being made on that account, it is probable that the paper circulation did not much exceed 52,000,000 dols. But the liability of the banks for specie, was equal to the whole amount of notes represented to be in circulation, besides the individual depositors. To meet an immediate demand, they are estimated to have had 28,000,000 dols. in specie. If the de-

posites of individuals should be estimated at 18,000,000 dols. their ultimate means of meeting the demand of 62,000,000 dols. without sacrificing their capital, would consist of 10,000,000 dols. in specie, and 52,000,000 dols. secured by the notes of individuals; this sum being the excess of their discounts over their capital. Under ordinary circumstances, the basis upon which the credit of this circulation rested, might be considered sufficient to sustain it. A debt of 117,000,000 dols. could not under the most adverse circumstances, be considered inadequate to meet one of 52,000,000 dols. But, in the case of currency, the capacity of ultimate redemption is not sufficient. The capacity to redeem it as it is presented is indispensable. Whenever the public confidence, in this capacity, is impaired, an immediate demand for specie will be created; and, if it is not promptly met, depreciation will ensue. But, even in circumstances in some degree adverse to the operation of banks, if their discounts consisted principally of notes founded upon real transactions, in which the idea of renewal was excluded; and if specie formed a considerable proportion of the circulation, the capacity of the banks to meet the demands upon them for specie, might have been sufficient to sustain the credit of the currency. If, on the other hand, the debts due to the banks consisted chiefly of fixed or permanent loans, generally denominated accommodation paper; if specie had been banished from circulation, by the issue of dollar notes, the suspension of payment by the banks could not fail to be the result of any considerable pressure upon them for specie. In the former case, as their notes should be withdrawn from circulation, they would gradually be reduced to the demand for them for the transmission of money. If the effort to withdraw them should be continued beyond that point, specie, would be paid into the banks by their debtors, in preference to bank notes; and the just proportion between the paper circulation, and the specie in their vaults, would be promptly restored. In the latter case, as the debts due to the banks would not, according to the understanding of the parties, become due at short intervals, the only mode of meeting the increasing demands upon them for specie would be to require of the whole mass of debtors the payment of a fixed proportion of the sums due by them. As the circumstances which would require this measure, on the part of the banks, would generally affect the community in the same degree; the capacity of their debtors to meet this demand would generally be found to be in an inverse ratio to the demand. The demand itself being inconsistent with the impression under which the debt was contracted, would be resisted in every case, where the interest of the debtor would be subverted by delay. As specie formed but an inconsiderable part of the currency, the reduction of the paper circulation would have to be carried to a greater extent than in the former case. A just proportion between the paper circulation and the specie necessary to support it, could be obtained only by the positive reduction of the former, as it would be impracticable to increase the latter, while the demand continued.—Under such circumstances, the suspension of payment would be the probable result.

Such, in fact, were the circumstances under which the suspension in 1814 occurred.

The injudicious multiplication of banks, where capital in that form to some extent, might have been useful; the establishment of them where they only could be injurious; the permission to issue

dollar notes, by which specie was banished from circulation; and the demand for specie for exportation which existed during the years 1813 and 1814, imposed upon the banks in the middle, southern and western states, the necessity of suspending payment. A longer effort to discharge their notes in specie would not only have been ineffectual, but would certainly have postponed, to a more remote period, the resumption of specie payments. The evils which have resulted to the community from that suspension have certainly been great: but, it may well be doubted, whether others of equal magnitude would not have been suffered, if that event had not occurred. The extent to which the currency must have been reduced, in order to have avoided the suspension, could not have failed, at any period, to produce great embarrassments and distress to the community. But, in a time of war; when the country was invaded; when the public safety required that the energies of the nation should be fully developed, a sudden and extensive reduction of the currency, by any cause whatever, would have been fatal. Under such circumstances, the demand for currency would have been too imperative to be resisted. It would, from necessity, have been supplied by the issue of treasury notes.

The fact, that, in a small portion of the union, specie payments were continued, cannot be admitted as evidence, that it was practicable throughout the nation. In that part of the country, the extensive bank issues, consequent upon loans to the government in the middle states, had not occurred. Foreign trade, which, in other parts of the union, was nearly annihilated, still preserved there a languid existence, through the permission or connivance of the enemy. These circumstances could not fail to enable the banks, in the eastern states, to continue specie payments longer than those of the middle, southern, and western states. In an effort to preserve their credit, they would, inevitably, be the last that would fall. In such a struggle, however, they must have failed, had not the circulation of the paper of their weaker neighbors and the issues of treasury notes come to their aid. But for this adventitious assistance, wholly unconnected with the wisdom and foresight of their directors, specie payments must have been suspended there, or the best interests of the community have been sacrificed. From that period, until the resumption of specie payments in the early part of 1817, treasury notes, and the notes of the banks which had suspended payment, formed the great mass of circulation in the eastern part of the union. Specie, or the notes of banks which continued to pay specie, formed no part of the receipts of the government in Boston and the districts east of that town, until about the close of the year 1816.

In all great exigencies, which in the course of human events, may be expected to arise in every nation, the suspension of payment by banks, where the circulation consists principally of bank notes, is one of the evils which ought to be considered as the inevitable consequence of their establishment. Even in countries where paper does not form the principal part of the circulation, such an event will sometimes happen. In the year 1797, when the restriction was imposed upon the bank of England, the average of its circulation, for several successive years, was about 10,000,000*l.* sterling, whilst the metallic currency was estimated at 30,000,000*l.* Yet in that country, whose trade in the time of war, through the protection of its fleets, was rather expanded than contracted, it was found necessary to authorise the bank to suspend payment,

which suspension, after a lapse of twenty-three years, still continues. When the existence of banks depends upon the authority that regulates the currency, it may be practicable to impose salutary checks against excessive issues of paper during suspension; and in some degree to guard against an excessive issue of the currency. But, where these institutions are created by an authority having no power to regulate the currency, and, especially, where they are created by a great variety of authorities independent of each other, and practically incapable of acting in concert, it is manifest that no such checks or restraints can be imposed. It is impossible to imagine a currency more vicious than that which depends upon the will of nearly four hundred banks, entirely independent of each other, when released from all restraint against excessive issues. By the term currency, the issue of paper by government, as a financial resource, is excluded. Even such an issue, in a state where the reign of law is firmly established, and public opinion controls the public councils, would be preferable to a currency similar to that which existed in some parts of the United States, during the general suspension, and which now exists in some of the states. This truth has been practically demonstrated, by the redemption of the whole of the treasury notes, issued during the war, within the short space of about two years after the peace; whilst a large amount of bank notes issued during the suspension are yet unredeemed and greatly depreciated.

There can be no doubt, that a metallic currency, connected with a paper circulation, convertible into specie, and not exceeding the demand for the facile transmission of money, is the most convenient that can be devised. When the paper circulation exceeds that demand, the metallic currency to the amount of the excess will be exported, and a liability to sudden fluctuations to the same extent will be produced.

If banks were established only in the principal commercial cities of each state; if they were restrained from the issue of notes of small denominations; if they should retain an absolute control over one half of their capital, and the whole of the credit which they employ, by discounting to that amount nothing but transaction paper payable at short dates; the credit and stability of the banks would, at least, be unquestionable. Their notes could always be redeemed in specie on demand. The remaining part of their capital might be advanced upon long credits to manufacturers, and even to agriculturalists, without the danger of being under the necessity of calling upon such debtors to contribute to their relief, if emergencies should occur. Such debtors are, in fact, unable to meet sudden exigencies, and ought never to accept of advances from banks, but upon long credits, for which timely provision may be made. The latter class, of all others, is the least qualified to meet the sudden demands which a pressure upon banks compels them to make upon their debtors. The returns of capital invested in agriculture are too slow and distant to justify engagements with banks, except upon long credits. If the payment of the principal should be demanded at other periods than those at which the husbandman receives the annual reward of his toil, the distress which would result from the exaction would greatly outweigh any benefit which was anticipated from the loan. That the establishment of banks, in agricultural

districts, has greatly improved the general appearance of the country, is not denied. Comfortable mansions, and spacious barns, have been erected; lands have been cleared and reduced to cultivation; farms have been stocked and rendered more productive, by the aid of bank credits. But these improvements will eventually be found, in most cases, to effect the ruin of the proprietor. The farm, with its improvements, will frequently prove unequal to the discharge of the debts incurred in its embellishment. Such, in fact, is the actual or apprehended state of things wherever banks have been established in the small inland towns and villages. Poverty and distress are impending over the heads of most of those who have attempted to improve their farms by the aid of bank credits. So general is this distress, that the principal attention of the state legislatures, where the evil exists, is, at this moment, directed to the adoption of measures calculated to rescue their fellow citizens from the inevitable effects of their own indiscretion. If, in affording a shield to the debtor, against the legal demand of his creditor, the axe shall be applied to the root of the evil, by the annihilation of banks where they ought never to have existed, the interference, however doubtful in point of policy or principle, may, eventually, be productive of more good than evil.

The general system of credit, which has been introduced through the agency of banks, brought home to every man's door, has produced a fictitious state of things, extremely adverse to the sober, frugal, and industrious habits, which ought to be cherished in a republic. In the place of these virtues, extravagance, idleness, and the spirit of gambling adventure have been engendered and fostered by our institutions. So far as these evils have been produced by the establishment of banks, where they are not required, by the omission to impose upon them wholesome restraints; and by the ignorance or misconduct of those who have been entrusted with their direction, they are believed to be beyond the control of the federal government. Since the resumption of specie payments, measures have been adopted in some of the states to enforce their continuance; in others, the evil has been left to the correction of public opinion. There is, however, some reason to apprehend, that the authority of law may be interposed in support of the circulation of notes, not convertible into specie.

But the federal government has, by its measures, in some degree, contributed to the spirit of speculation, and of adventurous enterprise, which, at this moment so strongly characterise the citizens of this republic, the system of credit, which, in the infancy of our commerce, was indispensable to its prosperity, if not to its existence, has been extended at a period when the dictates of sound discretion seemed to require that it should be shortened. The credit given upon the sale of the national domain has diffused this spirit of speculation and of inordinate enterprise among the great mass of our citizens. The public lands are purchased, and splendid towns erected upon them, with bank credits. Every thing is artificial. The rich inhabitant of the commercial cities, and the tenant of the forests, differ only in the object of their pursuit. Whether commerce, splendid mansions, or public lands, be the object of desire, the means by which the gratification is to be secured, are bank credits.

[To be continued.]

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The proceedings of congress are interesting. Both houses seem to have resolved on the despatch of business. There is a considerable quantity of debate, but of the right sort—no set speeches to wear out each others patience and waste the public time. Though there is an active and numerous body in favor of retrenchment, it does not appear that much will be done to suit the government to the condition of the nation: still, at this moment, we should deem it *inexpedient* to impair the effective force of the army and navy. The report of the committee on foreign relations is important. Several letters to the editor express an opinion that a majority is at present opposed to a seizure of the Floridas. See the article on this subject, page 46.

The report of the secretary of the treasury, on a national currency, &c. is so continued as to avoid a break when the volume is bound up, as it is our custom to dispose of long articles: we shall conclude it, with the tabular statements, next week. The original and miscellaneous matters commence in page 45.

We have very late and highly interesting news from Europe. We have spent much time in collecting, out of a mighty mass of matter, the apparent facts useful to be known and preserved, as the history of our own times.

A supplement will be published next week, to relieve our burthened files a little and bring up lee-way. "One of the people," hereafter.

Relations with Spain. A heavy pamphlet relative to our affairs with Spain, and also two interesting letters from the secretary of state to the chairman of the committee on foreign relations, have reached us. The former was prepared to be noticed in abstract, and the latter inserted *in extenso*, in this sheet, but *necessity*, in the mechanical department, has compelled the postponement of these things until next week. The pamphlet throws little, if any, additional light on our concerns with Spain.—Nor is any prospect held out as to a termination of negotiation. The letters from Mr. Adams, in answer to certain questions proposed by the committee, amount to this—that the treaty is supposed binding on the king of Spain; like a covenant to convey lands by an individual. He also intimates that probably a reason why the treaty has not been ratified, was in a desire that the U. S. should stand pledged not to recognize the independence of the South American provinces, though such a pledge had been decisively refused long since. He gives us to understand that some prospective views of the policy of the French and Russian governments have been obtained—they are favorable to a little further exercise of our patience. The secretary does not expect that in the event of a war with Spain, any of the European powers will interfere—but concludes that the greatest reliance of Spain would be in the employment of privateers fitted out and manned by the people of other countries.

REPORT OF THE SECRETARY OF THE TREASURY.

[Continued from page 40.]

This state of things is no less unfriendly to the duration of our republican institutions, than it is adverse to the development of our national energies,
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when great emergencies shall arise; for, upon such occasions, the attention of the citizen will be directed to the preservation of his property from the grasp of his creditors, instead of being devoted to the defence of his country. Instead of being able to pay with promptitude the contributions necessary to the preservation of the state, he will be induced to claim the interference of the government to protect him against the effects of his folly and extravagance.

This ought not to be the condition of a republic, when menaced by foreign force, or domestic commotion. Such, it is apprehended, will be the condition of the United States, if the course which has been pursued since the commencement of the late war is not abandoned. Since that period, it is believed, the number of banks in the United States has been more than doubled. They have been established in the little inland towns and villages, and have brought distress and ruin upon the inhabitants. When the cause and the extent of the evil is known, no doubt is entertained that the appropriate remedies will be applied by those, who, in our complex form of government, are invested with the necessary authority.

But the resolution requires the secretary of the treasury "to report such measures as, in his opinion, may be expedient to procure and retain, a sufficient quantity of gold and silver coin in the United States."

It has already been suggested that, if the currency was purely metallic, or connected with paper convertible into specie, to the extent only of the demand for the transmission of money, the United States would retain that proportion of the precious metals which the value of their exchangeable commodities bore to those of other states. But, if paper can be made to circulate independent of its employment in the transmission of funds, gold and silver, to the same extent, will be exported. If paper will be received and employed generally as the medium of exchange, and especially if it is issued in bills of small denominations, the amount of specie, which will be exported, will be greater in proportion to the paper in circulation. If this position be correct, the power of congress will be sufficient to retain any considerable portion of gold and silver in the United States. Bank notes, from one dollar to those of large denominations, have circulated, and, it is presumed, will continue to circulate, independent of its authority. As long as bank notes will be received as a substitute for specie, the quantity of specie, necessary for currency, will be small, and may be easily retained without the aid of government. But the demand for specie, where the circulation is principally paper, is extremely fluctuating. When there is but little or no demand for it, the temptation to increase their discounts, by the issue of more paper, is too strong to be resisted by banks. When a demand for specie arises, the currency has to be suddenly diminished by the contraction of their discounts. Fluctuation in the amount of the currency, produced by this means, is the principal mischief to be remedied. These fluctuations will frequently occur in every state, where the currency is principally paper convertible into coin. In the United States, where the specie ex-

ported, as a primary article of commerce, to the East Indies, and to China, bears so large a proportion to the metallic currency of the country, that they must not only be more frequent than in states where no such commerce exists, but more extensive in their effects. The demand created for Spanish milled dollars, by the exportation of specie, in the prosecution of this trade has, without doubt, caused their importation to an extent which otherwise would not have occurred. As this demand is, in some degree contingent, the supply will also be contingent. When it exceeds the demand, the banks will be tempted to new issues of paper. When it is deficient, the deficiency will be drawn from banks, and will cause a sudden diminution of the currency. If this diminution could be limited to the amount of the deficiency thus drawn from the banks, the evil would be no greater than if the currency were metallic. But this is not the fact. When the paper circulation is returned upon the banks for specie, prudence requires that an effort should be made to preserve the same proportion between the specie in their vaults and their notes in circulation, as existed at the moment the pressure commenced. If the paper in circulation should be three times the amount of specie in the possession of the banks, a demand upon them for 1,000,000 dols. of specie, would produce a diminution of 3,000,000 dols. in the currency, if the specie should be exported, and of 2,000,000 dols. if it remained in the country. It is even probable that the comparative diminution would exceed this ratio. As the demand increased, apprehensions would be excited for the credit of the banks; the exertions produced by that apprehension, would correspond with the magnitude of the evil to be avoided, rather than with the positive pressure. This, it is presumed, would be the effect of such an emergency, where banks had not become familiarized with bankruptcy, and were not countenanced by society in a course of conduct which, in private life, would be considered dishonest.

If, by any constitutional exercise of the power of congress, banks can be restrained, 1st. From issuing notes of small denominations: and 2d. From excessive issues when their notes are not returned upon them for specie, fluctuations in the currency to an extent to derange the interests of society may be prevented. But if the imposition of these restraints are not within the constitutional powers of congress, the evils which have been suffered for the want of those restraints, must continue, until the present system of banking shall be abandoned.

In an enquiry into the state of the currency, the consideration of the coinage is necessarily involved. The principles upon which the coinage of the United States has been established, are substantially correct. The standard fineness of the gold coinage corresponds with the coinage of England and Portugal. The standard of the silver coinage differs but little from that of Spain. The American dollar is intrinsically worth about one per cent. less than the Spanish milled dollar. This difference, if the Spanish dollar had not been made a legal tender, might have secured to the nation a more permanent use of its silver coinage. American dollars would not be exported, as long as Spanish dollars could be obtained for that purpose, at a reasonable premium. If this latter coin was not a legal tender, the banks might afford to import it, and might sell, at a fair premium, the amount which might be required of them for the China and East India trade.

The relative value of gold and silver has been differently established in different nations. It has been different in the same nation at different periods. In England, an ounce of gold is equal in value to about 15.2 ounces of silver. In France, it is equal to 15.5; and, in Spain and Portugal, to 16 ounces. In the United States, an ounce of gold is equal to 15 ounces of silver. But the relative value of these metals in the markets, frequently differs from that assigned to them by the laws of different civilized states. It is believed that gold, when compared with silver, has been, for many years appreciating in value; and now, every where commands in the money markets, a higher value than that which has been assigned to it in states where its relative value is greatest. If this be correct, no injustice will result from a change in the relative value of gold and silver, so as to make it correspond with their relative marketable value. If gold, in relation to silver, should be raised five per cent. one ounce of it would be equal to 15.75 or 15 3/4 ounces of pure silver. This augmentation in its value would cause it to be imported in quantities sufficient to perform all the functions of currency. As it is not used to any considerable extent, as a primary article of commerce, the fluctuations, to which the silver currency is subject from that cause, would not affect it. It would be exported only when the rate of exchange against the country should exceed the expense of exportation. In ordinary circumstances, such a state of exchange would not be of long continuance. If the currency of the United States must, of necessity, continue to be paper, convertible into specie, an increase of the gold coinage, upon principles which shall afford the least inducement to exportation, is probably the most wholesome corrective that can be applied, after the rigid enforcement of that convertibility.

The copper coinage is believed to be susceptible of improvement. Copper itself is too massive to serve the purposes of change. One hundred cents are too cumbersome to be carried, and used in the numberless transactions which daily occur between individuals. Coin, compounded of silver and copper, of from one to ten cents, would be much more suitable for that object. This kind of coinage has been adopted in other countries, with great advantage.

It has, however, been objected to this coinage—

1. That, as compounded metals are much harder than the component ingredients, it would be difficult, and consequently expensive to work.

2. That the coin itself would be of little or no intrinsic value: copper or brass being of superior value in the manufactures to which it might be applied. And that the public would scarcely submit to the circulation of a coin so worthless.

3. That it might be counterfeited by a composition of zinc and copper.

After giving to these objections their due weight it is believed, that a change of this nature, in the copper coinage, would be beneficial. Although the expense of such coinage would be twice as much as that of an equal number of silver coin, still it might be advantageous. Small change, both of silver and copper, may be abundant in Philadelphia, the seat of the mint; but it is not generally so elsewhere. If it were, tickets of 64, 10, 124, 25, and 50 cents, issued by mayors and corporation officers, and dollar bills torn in two pieces, for the purposes of change, would not be employed for that purpose. This single fact is an answer to the second objection. The fractional parts of a dollar are so indispensable in the transactions of individuals, that any thing

which assumes that character will be employed. If the tickets which, at this moment, form so great a portion of the change of this city, and of various other places, are employed for that purpose, it is inconceivable that the community should refuse to permit a compound coin, of silver and copper to circulate, containing the intrinsic value which it represents, merely because, for manufactures, it will not be worth more than brass or copper, and that the expense of refining will be equal to the value of the silver. Change, that is, the fractional parts of a dollar, is so indispensable to the community, that its inapplicability to manufactures, and its exemption from liability to exportation, instead of forming objections, are recommendations in its favor.

The objection that this coin may be easily counterfeited, is, if it cannot be obviated, entitled to great consideration. As has been before stated, this compound coinage has been successfully practised in other states. If compound metals are much harder than their component ingredients, may not a sufficient security against counterfeiting be derived from that circumstance? The dimensions and power of the machinery, which constitute one of the objections to the coinage, will render it extremely difficult to secure that secrecy, and concealment, which are indispensable to the success of the counterfeiter. If this compound coinage should not be carried higher than ten cent, or dime pieces, the inducement, compared with the danger of detection, resulting from the magnitude of the machinery, would not, it is believed, be sufficient to encourage counterfeiting. If, however, it should be deemed impracticable to guard against this evil, in a coinage composed of silver and copper, an attempt might be made to obtain a supply of small change, by a mixture of silver and zinc. The danger of counterfeiting would then be removed.

As various plans have been suggested during the last twelve months, for alleviating the general distress which has prevailed, by the emission of a large amount of treasury notes, a few observations on that subject will close this part of the report.

If treasury notes are to be issued for this purpose, they will be either receivable in all payments to the government, or they will be made redeemable at a fixed period.

1. If they are made receivable in all payments to the government, the revenue will, from the time that 5,000,000 dols. are issued, be substantially received in them. The government will be immediately unable to pay the interest and reimbursement of the public debt in specie, as it becomes due. These notes, when compared with the notes of the bank of the United States, will be at a discount. The latter notes, independently of their being every where receivable, in all payments to the government, are convertible, at the place of their issue, into specie. They are equal to the treasury notes in payment of the revenue, and superior to them, as they command specie when the holder shall desire it.

If the 14th section of the bank charter was modified, so that the notes of the bank and of its offices should be receivable by the government, only when tendered where they are made payable, a small amount of treasury notes might be issued, and circulated, without depreciation. In that case, they would be used for the transmission of money, and would be in constant demand for that purpose. It is the reception of the notes of the bank of the United States, and its offices, by the government, wherever they are tendered, that causes them to be considered as a good remittance throughout the

United States. If they should cease to be so received, a demand for treasury notes to a small amount, for the transmission of money, would be created, and would preserve them from depreciation. If the notes thus issued should be made redeemable at the treasury, in specie, upon demand, the amount which might be put and retained in circulation, would probably exceed, to a considerable extent, the sum demanded for the facile transmission of money. Such treasury notes would, however, have no advantage over the notes of the bank of the United States, as long as they are receivable in all payments to the United States, without reference to the place where they are payable. It is even probable that they would not be of equal value and currency with those notes, as the latter would generally be made payable in the principal commercial cities, where remittances are continually made, whilst the treasury notes would be payable only at this place. If treasury notes, payable in specie, on demand, when presented at this place, should be preferred to the notes of the bank of the United States, it would be in consequence of the abuses which have been practised by banking institutions, which have, in some degree, shaken the public confidence in the integrity of their direction.

2. If treasury notes were to be issued, not receivable in payments to the government, but redeemable at a fixed period, they would immediately depreciate, unless they bore nearly six per cent. interest. In the latter case, they would be of little more use, as currency, than the funded debt. They would not perform the functions of money.

3. In any case whatever, whether they are receivable in payments to the government, or bear an interest, and are redeemable at a fixed period, they will afford no substantial relief where the distress is greatest, unless they should be advanced as a loan in order to alleviate that distress. If they are to be issued from the treasury in discharge of the demands upon the government, they would never reach those sections of country where relief is most required. There, the government already collects more than can be expended. One of the causes of this distress, is the necessity of transferring the public funds from those sections, for the purpose of being expended, to those where there is no deficiency of currency.

As a financial resource, the issue of treasury notes is justifiable only where the deficiency, which they are intended to supply, is small in amount, and temporary in its nature. As a measure of alleviation, it will be more likely to do harm than good. If a sufficient amount of those notes, of any description whatever, should be issued, and put into circulation where they are most wanted, unless they were given away, a debt in that part of the union would be contracted to the extent of the issue. It might enable the borrowers to pay debts previously contracted, but their relative situation would be the same, unless the currency became vitiated by the relief which was afforded, the ultimate payment of debt would consummate the ruin which the measure was intended to prevent. But it is probable that the sum which might be advanced, by way of loan, would, in a great degree, be lost. The government is not, from its nature, qualified for operations of this kind. The general system of credit which has been introduced by the agency of banks, and by the inevitable effect of the measures of the general government, has produced an artificial state of things, which requires repression rather than extension. The issue of treasury

notes, for the purpose of alleviating the general distress, would tend to increase this unnatural and forced state of things, and give to it a duration which it would otherwise never attain. If much of the evil resulting from a decreasing currency had not already been suffered, there might be some plausible reason for urging the issue of treasury notes, as a measure of alleviation. This ground cannot be urged in its favor; it is, therefore, indefensible, upon the ground of expediency, as well as of principle.

The last member of the resolution assumes, by implication, the practicability of substituting, by the constitutional exercise of the powers of congress, a paper currency for that which now exists.

In considering this proposition, the power of congress over the currency of the United States cannot consistently with the respect which is due to that body, be either affirmed or denied. It cannot be supposed that the house of representatives, in adopting the resolution in question, intended, through the agency of an executive department of the government, to institute an inquiry as to the extent of the constitutional authority of a body, of which it is only a constituent member. Yet, it will necessarily occur to the house that, if the power of congress over the currency, is not absolutely sovereign, the inquiry, whatever may be its immediate result, must be without any ultimate utility. The general prosperity will not be advanced, by demonstrating that there is no intrinsic obstacle to the substitution of a paper, for a metallic currency, if the power to adopt the substitute has been withheld from the federal government. Without offering an opinion upon the weight to which these views would have been entitled, had they been urged whilst the resolution was under consideration, it is admitted that they furnish no ground for declining the performance of the duty imposed by its adoption. In the discussion of a question of so much delicacy and importance, the utmost confidence is reposed in the justice and liberality of those who have rendered it indispensable.

At the threshold of this enquiry, it is proper to observe that, it is deemed unnecessary to present an analysis of the motives which led, even in the most remote antiquity, to the general adoption, by civilized states, of gold, and silver as the standard of value; or, of the advantages which have resulted from that adoption. The circumstance, to which, in the course of this investigation, it will be necessary to advert, is the tendency which a metallic currency has to preserve a greater uniformity of value, than any other commodity; and the facility with which it returns to that value, whenever, by any temporary causes, that uniformity has been interrupted. No argument will, in this place, be offered in support of this proposition. It is founded in the experience of all nations. Its truth, for the present, will therefore be assumed. But, the proposition itself admits, that gold and silver, when employed by the consent of all civilized states, as the standard of value, are subject to temporary variations of value. It is equally true, that they are subject to permanent variations. The cause and effect of these changes will be considered previously to the discussion of the practicability of substituting a paper for a metallic currency.

1st. When by any circumstance whatsoever, a greater portion of these metals is found in a particular state, than is possessed by other states, having articles of equal value to be exchanged, they will, in such state, be of less value than in the adjacent states. This will be manifested by an in-

crease in the price of the commodities of such state. This increase of the price will continue until the metallic redundancy is exported, or converted into manufactures. Whenever this redundancy is disposed of, the currency will return to its former value, and the price of other commodities will be regulated by that value.

2d. But, the exportation of specie may take place where there is no such redundancy. This occurs whenever the general balance of trade continues, for some time, unfavorable to a particular state. The currency then appreciates in value, and the price of all other commodities in such state, is diminished. As commerce is nothing more than the exchange of equivalents, the reduction in the price of the articles of such state, and the increased value of the currency, will promptly produce a reaction; and gold and silver will soon return in the quantities required to reduce their value to that which they maintain in the adjacent states. With the return of specie, all other articles will return to the prices which they commanded before its exportation. Like fluids, the precious metals, so long as they are employed as the general measure of value, will constantly tend to preserve a common level. Every variation from it will be promptly corrected, without the intervention of human laws. These fluctuations, being temporary in their nature, are wholly independent of the permanent causes which may effect the value of gold and silver, when employed as the general standard of value. They will equally occur, whether the quantity of these metals, compared with the exchanges which they are destined to effect, be redundant or deficient. The limits, however, within which these fluctuations are confined, are so contracted, that the great interests of society cannot be seriously affected by them. But this observation must be understood to apply to a currency purely metallic, or, at least, when the paper which is connected with it, does not exceed the demand for the convenient transmission of money.

3d. Gold and silver, when employed by the common consent of nations as the standard of value, are subject to variations in value from permanent causes. When their quantity is increased more rapidly than the articles which are to be exchanged through their agency, their price will fall; or, what amounts to the same thing, the price of all exchangeable articles will rise. It has been admitted by all intelligent writers upon this subject, that, immediately after the discovery of America, towards the close of the fifteenth century, a sudden and extensive depreciation in the value of these metals occurred; and that, from that time, to the close of the eighteenth century, they continued gradually to depreciate. This depreciation, it is believed, has been accelerated during the last century, as much by the substitution of paper for specie, as by the increase in the quantity of those metals during that period, beyond the demand which would have existed for them, as currency, had that substitution not taken place. The precise effect upon the depreciation of these metals, produced by the partial substitution of paper, in various countries, for a metallic currency, will not now be inquired into; but it is generally conceded, that the depreciation has been more rapid since that substitution, than at any former period; except when the accumulated stock of ages in the new world was brought into Christendom, and thence distributed into every other region where gold and silver were in demand. Since the close of the last century, doubts have existed, whether those metals,

even when employed as currency, have not appreciated in value: and it is contended, by the advocates of a paper currency, that this appreciation will probably continue through a long succession of years, and seriously affect all the operations of the civilized world. It is maintained, by these writers, that the demand for currency, at present, throughout the world, is greater than the supply which the existing quantity of the precious metals will afford, without materially depressing the price of all the objects of human industry and human desires. When it is recollected that production is regulated by demand, and that both are directly affected by the quantity of currency compared with a quantity of articles to be exchanged, it is readily perceived than an increase in the currency of the world by the substitution of paper, even when convertible into coin, will increase the quantity of exchangeable commodities in the world beyond what would have existed, had such increase of currency not taken place. Under such circumstances, a sudden reduction of the currency, by the rejection of the paper which had been employed, could not fail to derange all the relations of society, by diminishing the quantity of currency, whilst the articles to be exchanged through its agency, would suffer no such diminution. An immediate depression in the price of all commodities would be the inevitable consequence of an unqualified return to a metallic currency, upon the supposition that the quantity of gold and silver, annually produced, should remain undiminished. But, if this return to a metallic currency, should be attempted at a period, when the annual product of these metals, either from temporary or permanent causes, should have considerably decreased, all the great interests of society would be most seriously disordered; property of every description would rapidly fall in value; the relations between creditor and debtor would be violently and suddenly changed. This change would be greatly to the injury of the debtor; the property, which would be necessary to discharge his debts, would exceed that which he had received from his creditor; the one would be ruined without the imputation of crime, whilst the other would be enriched without the semblance of merit. Until the engagements existing at the moment of such a change are discharged, and the price of labor and of commodities is reduced to the proportion which it must bear to the quantity of currency employed as the medium of their exchange, enterprise of every kind will be repressed, and misery and distress universally prevail. When this shall be effected, the relations of society, founded upon a new basis, will be equitable and just, and tend to promote and secure the general prosperity.

Such, it is contended by the advocates of a paper currency, are the circumstances under which the principal states of Europe are endeavoring to return to a metallic currency. For a century past, the currency of these states has been greatly increased by the employment of paper, founded, it is true, originally upon a metallic basis. During the last twenty years, this paper has ceased to be convertible into specie; and, as no systematic effort has been made to prevent excessive issues, it has become redundant, and, consequently, depreciated. Notwithstanding this depreciation, the production of those countries, it is believed, have more rapidly increased, than those of countries where a metallic currency has been preserved. The first efforts that are seriously made by those states to return to a metallic currency, will be the repression of enterprise of every description among themselves. It

will be foreseen that the currency must appreciate, and that all other articles must depreciate in value. The effects of this appreciation of money will be first manifested in those states, by the fall of the price of all articles which cannot be exported. In the progress of these measures, the price of the exportable articles will also be effected, by the reduction in the currency employed in effecting their exchange. It is even probable that the quantity of exchangeable articles will be diminished. Whilst the appreciation of the currency is perceptibly advancing, the manufacturer will not hazard his capital in producing articles the price of which is rapidly declining. The merchant will abstain from purchasing, under the apprehension of a further reduction of price, and of the difficulty of re-vending at a profit. It is even probable that the interest of money will fall, whilst the cry of a scarcity of money will be incessant. Under such circumstances, loans will not be required, except to meet debts of immediate urgency. None will be demanded for the prosecution of enterprises by which the productive energies of the community will be increased.

[TO BE CONTINUED.]

A comfortable compliment.

Accompanying the following friendly letter from Mr. Magill, on behalf of the "friends of national industry" at Middletown, Conn. I received a parcel of beautiful cloth, sufficient in quantity for a complete suit of clothes, and good enough in quality for the best man in Christendom—an honorable exhibit of the state of the woollen manufacture in Connecticut, and a testimony of approbation to myself personally, very dear to my heart.

Believing as I do, that the interest of our manufacturers is a national interest, and especially so to the farmers and planters, as furnishing the best market for their surplus productions,—ardently desirous that the whole resources of our country may be rendered subservient to the general wealth and prosperity of the republic—and convinced also, that public distress and private misery must succeed the want of employment,—it is needless to say that whatsoever I can do shall always be done, to give to the *laboring capacity* of the United States, permanent and profitable objects to occupy it—so that every one willing to work may have it to do, and all be enabled earn and enjoy a comfortable subsistence.

*Princes and peers may flourish or may fade,
A breath unmake them as a breath has made;
But a brave yeomanry, their country's pride,
If once destroyed, can never be supplied.*

This is something like a pair of couplets impressed on my memory. Give me an *independent populace*, and we shall have all that is required for a good government. They will *command* a respect for their opinions.

Mr. Magill will please to accept my hearty thanks for his interesting compliment, as well as for the polite manner in which he was pleased to introduce it to me; and to assure "the friends of national industry, at Middletown," that their present is received in the same liberal spirit in which it was made—informing them, that I have had the cloth made up into garments, dressed in which and seated in "FREEDOM'S CHAIR," I shall oftentimes strive to catch and then convey to others, in my plain unlettered way, a part of those feelings which, in my opinion, ought to be common to my fellow citizens of the United States.

Middletown, February 25, 1820.

MR. H. NILES,

Dear sir—In the name of the friends of national industry in this town, I have the pleasure of forwarding you a few yards of *American superfine blue cloth*, as an acknowledgment for the important services which they believe you have rendered your country, in ably advocating, for a number of years, the interest of *home trade and home industry*. Our own government has bestowed so little attention on these two subjects, that the people at large are now brought to a state of bankruptcy and beggary. If the same imbecile policy towards the domestic industry of the country which has heretofore prevailed, is much longer persevered in, our birth right will not sell for a mess of pottage, and our citizens almost be glad to hire themselves as laborers to Christophe and Boyer. The cloth we send you was made at Mr. John R. Watkinson's extensive woollen manufactory in this town, and we hope will be acceptable as a specimen of the perfection to which the woollen manufacture has arrived in the United States.

Yours, with much respect and esteem,

ARTHUR W. MAGILL.

Seizure of the Floridas.

The committee on foreign relations has offered a distinct proposition to the house of representatives, to authorise and *require* the president to take possession of and to occupy the Spanish provinces of East and West Florida; and, as we suppose, to carry the late treaty *into effect*, in all its parts, as recommended by Mr. Monroe, in his message at the opening of the session.

We have already expressed our ideas quite freely on this subject,* and are still decidedly opposed to any measure, on the part of the United States, to take immediate possession of the country in question—not because of any moral duty which we owe to Spain, for she has long since forfeited every pretension to our forbearance or respect—not because of the power of Spain to resent the act, for she is contemptible; but for the reason that the time seems close at hand when the Floridas will fall into our possession without an effort, and in a manner which cannot be represented as offensive to the laws of nations, or be used as a pretext by Great Britain to accomplish her darling scheme of acquiring Cuba: which, in the language of one of her writers, "*the apologists for the seizure of the Danish fleet at Copenhagen, cannot want an excuse for,†*" if we seize upon Florida.

There is no apprehension that these provinces will *run away*, nor reason to anticipate their transfer to another power. We should be willing to resist the latter at arms, because any such transfer must be considered as *directly* hostile to us; and the rightful claim which we have on this country, as an indemnity for injuries suffered, cannot be relinquished. But where is the necessity of taking the possession *now*? We have waited long enough for justice, and the cup of forbearance is exhausted to the dregs. This is most true. Yet, what is the state of the European world—what is our own condition? The former seems to be in the state of calm which precedes an earthquake—there is a fearful stillness every where, except the present bustle in Spain: are we prepared to disturb this repose, and bear the brunt of events that will follow—shall we do this that a barren sovereignty may pass into our

hands, a few months sooner than otherwise it will be the case? It is evident to every one, that the Spanish monarchy is crumbling to pieces—the *nation* may become vigorous, but the present government is perishing of its own imbecility—let us wait events, standing prepared to profit by them.

If we possess ourselves of the Floridas, as recommended by the president, besides the danger and cost of the thing itself, we shall assume the payment of the five millions of dollars which the treaty conditioned that we should pay to our own citizens on account of spoliation, and be compelled to recognize the enormous grants made by the king to certain of his favorites, supposed to include *all* the vacant lands in both of the provinces. Certainly, our courts will not invalidate the act of the sovereign in this respect—he had an undoubted right to dispose of the property as he pleased—if, by signing the treaty, he had revoked these grants, the affair would have stood between him and the grantees: but the very bill attached to the report of the committee would secure the property to them, in the event of a violent possession of the country on our part; which, probably also, we might have to defend in war. We are quite willing that a sufficient portion of the army of the United States, well furnished and properly appointed for the purpose, should be located on the borders of Florida, with a public *understanding* that we stood ready to occupy the territory at our own discretion. This may be done, and as a measure of precaution ought to be done, without much additional expense to us, and without incurring much, if any, degree of responsibility to the international law—without affording to Great Britain an excuse for attempting to seize upon Cuba. If this invaluable island ever becomes her dependency, the effect will be many times more injurious to us than if she possessed the mouths of the Mississippi, for we could not hope to dispossess her of it; and Cuba, in the hands of a power like Great Britain, would more severely annoy our trade, than it could be annoyed by a position on the Mississippi itself.

It never *was*, it never *will be*, expedient to do wrong; yet it may be inexpedient to urge a right. Thus we say, "truth is not to be told at all times"—meaning, that though a person should not deviate from truth, it is not always *necessary* to relate it. Nor are we disposed to regulate our conduct by an apprehension of what *foreign* nations may do. We can possess ourselves of the Floridas when we please, and we will take them, as a matter right, when we will. But the great question is, *has the time arrived at which we ought to act?* We believe that it is *not now*, though it *has been more than once* and will soon come *again*, when, *as before*, reason and common sense with a strict regard to justice and equity, will require a definitive movement in relation to this country.

Many will advocate the measures recommended by the committee on foreign relations, for many have *speculated* upon and are deeply interested in the claims against Spain; and some, it is believed, have purchased much land in Florida, in anticipation of a transfer of its sovereignty. But these are not the people who should be respected in a matter like this, liable to produce such important consequences. Though we have no sort of regard for the government of Spain, we have much respect for the honor of our own. Admit, that we now march a force into Florida and seize the sovereignty—in what is its *principle* different from the attack upon *Copenhagen*, or the seizure of the *Spanish treasure ships* by the British, without in either case a

*See last vol. page 305. †Idem, 353.

declaration of war! It is true, a treaty was made which ought, as we say, to have been ratified—but a sovereign may refuse to ratify the act of his minister. We hope always to be distinguished for candor and good faith, for frankness and plain dealing. If congress is prepared to punish Spain for her aggressions, and to whip her into an observance of the justice and decency which one nation owes to another, by force of arms—we are quite ready to say, *agreed*; but let us not commit a flagrant act of war in a time of profound peace, even the Indians within the territory being perfectly quiet. Let us declare war openly, or wait events, with means in readiness to act as the occasion requires.

A rebellion or a revolution (to be hereafter termed according to its success!) is now going on in Spain. The great port and city of Cadiz is in the peaceable possession of those opposed to the king, and our belief is, that Ferdinand's infamous reign has already closed. If a liberal government is established, no doubt the Floridas will be delivered up to us, and it is probable also, that Cuba will assume independence, which the people of that island have long calculated on doing and which they are able to maintain, from the nature of their country and the immense advantages which a free trade to their island will confer on any foreign nation of whom they shall think it expedient to make a friend.—The present revenue of Cuba is about *five millions of dollars*, and, under an enlightened regard to its vast resources, the white population of the island and its revenues might be trebled, or perhaps, quadrupled in less than 20 years. It is now very considerable,* receiving a large addition by emigrants from the United States.

In the contingency supposed, Cuba would assume a new face, as if by the work of enchantment; and of all the world, we should be most interested in the welfare and prosperity of the island, as deeply affecting our own—not so much on account of the valuable trade which it would give to us, but as the *master key* of the vast gulf of Mexico, the waters emptying into which are the means of commerce to such a mighty portion of the United States.

Again we say, let us wait. We hazard nothing of honor nor interest by a little longer delay, but may risk much by precipitating ourselves into a contest in times like these. The peace of Europe is precarious—every nation seems to contain within itself the elements of revolution, which only want some exciting cause to give them effects more prodigious, perhaps, than any which we have seen. By refraining, we shall be prepared to profit by circumstances which we cannot prevent, and proceed to strengthen the republic and give it a moral and physical force that *must* be respected, and which *will* preserve us in peace.

The "Slave Question."

The following are extracts of a letter from a gentleman of great distinction, high in the public confidence, and in his private character, as I believe, one of the best of men. The compliment paid to me is so much beyond the deserts of the article referred to, that I have inserted it only because it seemed necessary to introduce the interesting facts that follow.

DEAR SIR.—I have read with great delight the article, "the slave question," in the REGISTER of March 11, 1820.—It is really worth all, and more

than all, that has been said in congress on the subject. The paragraph, "but the great check to the progress," &c. is particularly just and true.

I now own 400 acres of land in Georgia. It is on rent. My agent has given me a statement of its product last year, 1819,—viz:

1100 bushels corn, 100 do. wheat, 100 do. oats, 3000 lbs. cotton, 100 gallons peach brandy.—On the plantation, 50 hogs, 10 cows, poultry, &c. *ad libitum*.

Only 130 acres are cleared: my object was rather preservation of timber and the log-houses, than any profit.

The above product was from the labor of the father (the tenant) and two of his sons, with one yoke of oxen and two horses. Not a slave touched the process. For this farm I receive the annual rent of \$50.

The above product in market, was fairly worth \$1600—which is exactly the price I paid for the land.

As you and I are, I am happy to say, *like minded*, I am sure you will read this with some satisfaction.

Here is a proper place, perhaps, to give the following extract of a letter from Mr. Jefferson, dated Feb. 7, 1820, which was read by a member of the house of representatives in his place, when the question was under discussion.

"I thank you for your information on the progress and prospects of the Missouri question. It is the most portentous one which ever yet threatened our union. In the gloomiest moment of the revolutionary war, I never had any apprehensions equal to that I feel from this source"

Foreign Articles.

GREAT BRITAIN AND IRELAND.

London dates of Feb. 7.

The old king, George William Frederick Guelph, died at Windsor castle on the 29th of January. He was born on the 24th of May, old stile, (or June 4, according to the new) 1738; proclaimed king, Oct. 26, 1760; married Sept. 8, crowned Sept. 22, 1761—consequently, he reached the advanced age of 81 years, 7 months and 26 days. If we count the time as a part of his reign in which a regency has acted in his name, he reigned longer than any other sovereign who has sat upon the throne of England. The regency was permanently appointed on the 6th of Feb. 1811. Henry III. reigned 56, and Edward III. 51 years—he reigned 60.

His death was officially announced to the lord mayor of London, with a request that he would order the great bell of St. Paul's to be tolled, &c.

A cabinet council was held the next day (Sunday) when the following instrument was prepared and signed—

"Whereas it hath pleased the Almighty God to call to his mercy our late sovereign lord, king George the 3d. of blessed memory, by whose decease the imperial crown of the united kingdom of Great Britain and Ireland, is solely and rightfully come to the high and mighty prince, George, prince of Wales. We, therefore, the lords spiritual and temporal of this realm, being here assisted with those of his majesty's privy council, with numbers of other gentlemen of quality, with the lord mayor, aldermen and citizens of London, do now hereby with one voice and consent, of tongue and heart, publish and proclaim, that the high and mighty prince, George, prince of Wales, is now by the death of the late sovereign, of happy memory,

*See last vol. p. 418.

become our only lawful and rightful liege lord, George the 4th, by the grace of God, king of Great Britain and Ireland, defender of the faith, &c. to whom we do acknowledge all faith and constant obedience, with all hearty and humble affection: beseeching God, by whom kings and queens do reign, to bless the royal prince, George the 4th, with long and happy years to reign over us.

Given at the court at Carlton-house, this 30th day of Jan. 1830.

GOD SAVE THE KING!"

Then follows the signature of the privy-councilors, &c. present.

His majesty, king George IV. then made a declaration of his tenderest affection for his native country, and of his determination to do all in his power to promote the glory and happiness of the kingdom.

The ministers resigned and were re appointed, and new oaths were administered to them, as well as to the lords and commons, in parliament, &c. The usual proclamation, of George IV. as king of Great Britain, &c. took place at St. James' palace, Charing Cross and Temple bar, on the 31st of January.

The prince regent, now George IV. has been very sick—the bulletin of his health, of the 6th Feb. says "the king continues better," that of the 7th, "the king has had a good night." It is supposed that he will inherit his father's property, and this will enable him to pay his debts—if he pleases.

The king's fourth son, Edward Guelph, duke of Kent, &c. died at Sidmouth, after a short but very severe illness on the 23d of January. He was born November 2, 1767. Edward was about as bad in his young days as the rest of his family, but is described as having latterly been a sober, temperate and discreet man, willing to do good according to his ability. He recently married a sister of the prince of Coburg, the widow of some German prince, by whom he had a daughter, now a few months old, and the apparent heir of England. His wife was very attentive to him during his illness, and he died in her arms. There were heavy insurances on his life, for the security of his creditors, for he was indebted in a princely amount.

The interment of the late king and his son, it was expected, would take place on the 16th of Feb.

American produce is very low in England—12½d. asked for Upland cottons, and the stock heavy. Ashes 41; rice dull at 17 to 20s. flour at 33s. 6d. to 35s. American 6 per cent. stocks 99 to 100—U. S. bank shares 21½. 10s. nearly 95½ dollars.

Upwards of two millions two hundred thousand eggs were imported into England from France, in the space of three months.

Many persons are emigrating to the Cape of Good Hope.

The British government had a negotiation with Spain, for the supply of ten millions of dollars. At the last accounts it was terminated, and late events have, no doubt, defeated it.

The communication between London and Yorkshire, &c. was completely suspended by the severity of the frost.

It had been colder in month of January in England, than was ever known before in that country. In the city of London the thermometer stood twenty-three degrees below the freezing point. At Islington, the silver in the barometer on the 14th, was down into the bowl.

Accounts from Ireland represent a portion of that country to be in a dreadful state, from the horrid outrages which had lately been perpetrated. Mur-

ders of the most horrid description, with robbery innumerable, had taken place. In Monterlony a man was murdered, his wife's arm was shattered by a ball, and the old parent of the house, of the name of M'Gurk, roasted alive, to compel him to make a confession where his property was concealed.—The following counties swarm with murderers and robbers, Fermanagh Enniskillen, Donegal, Antrim, Waterford, Roscommon, Wexford, King's County and Galway.

A quantity of wool, from New South Wales, was sold at London, on the 14th of January, at more than 3s. sterling per lb. The sale averaged a higher price than Spanish wool, offered at the same time.

A London paper states, that "the report in circulation, that the tragedy of Coriolanus has been prohibited, is not true. Brutus and Venice Preserved have been forbidden."

Petitions are getting up in Ireland, in favor of a dissolution of the union with Great Britain!

Married—In December last, at New-Castle, Eng. Mr. Silvertop to Mrs. Pearson. This lady has been married three times. Her first husband was a Quaker, the second a Roman Catholic, and the third is of the established church. Every husband was twice her own age; at 16 she married a man of 32, at 30 she took one of 60, and now at 42, she is united to a man of 84.

Imports at Liverpool from the United States.

<i>Flour, bbls.</i>	<i>Rice, casks.</i>	<i>Tobacco, hds.</i>	<i>Cotton, bags</i>
1817 540,000	195,000	7,861	314,330
1818 350,000	100,000	110,000	423,500
1819 43,000	78,000	8,790	366,000

Socks, Feb. 1—3 per cent. consols 67 5-8.

State of crime in the metropolis of England, in the year 1819.

In Newgate on the 1st. Jan. 1819—males, 277—females, 107—total 384. Of this number 26 were executed for the following offences—murder 1; high-way robbery 6; burglary 2; house-breaking 1; stealing in a dwelling-house 4; unnatural offence 1; forgery 1; uttering forged notes 4; stealing post-office letters 3; cow-stealing 1; sheep-stealing 1.

Convicted at the Old Bailey during the year 1819—2195. One hundred and eighty-three of whom were sentenced to be executed; twenty of this number have been executed.

In Newgate, 1st of Jan. 1820—males, 248—females, 113—total 361.

Items and scraps of news. Mr. Cobbett seems to be sinking into contempt—he has not been able to make "a row" with Paine's bones; and has offered a modest proposal that the people shall give him 5000*l.* which he will expend for certain purposes, not explained, and about which he will not render any sort of account! He says it will only require 600,000 persons to give him 2*d.* each to make up the sum!—Large subscriptions have been made for the relief of the poor; the distresses of the people are very great though trade is said to be reviving, and many of the "radicals" to be returning to their employ. The bankers Rothschild & Co. have received nearly 8 tons of silver from the continent.—Several persons have been tried for sedition and punished by fine and imprisonment. The duke of Sussex on the 24th of Jan. joined in a celebration in honor of the memory of Charles Fox, and he is reproved as having sung the chorus of a song which runs thus, "Fall tyrants, fall! fall! fall!—these are the days of liberty," &c. The princess of Wales, now queen of England, was at Marseilles. There seems to be some difficulty in knowing what to do with her—and it is intimated that the present king

will not suffer her to be crowned, which it is said, he may do. A fire in Thames-st. London, did damage to the amount of 200,000*l.*—35 persons lost their lives in consequence of the breaking of the ice at Knottingley, on the 23d of January.—It appears that a parliament, after the close of the session, is dissolved by the decease of a king. The dukes of York, Clarence and Sussex, the duke of Gloucester and prince Leopold, have taken the oath of allegiance of king George IV. An extraordinary courier had been sent to Spain.

FRANCE.

On the first day of the new-year, the king of France received the congratulations of the municipal body of Paris, when the prefect of the Seine expressed to his majesty the wish that it would please Heaven to grant him long life. The king replied to the congratulations of the chamber of deputies in these words: "We are in peace with all Europe; but we have an enemy to contend with—that *anarchy*."

Rome Bonaparte is now established with his family at Trieste.

Lavalette has been pardoned. Bassano has arrived at Paris.

The frost has been severe in France and England. At Paris on the 11th, the thermometer of the engineer Chevalier, stood at 11 below 0. The Seine was frozen over.

On first of January last, there was in the bank of France, 172 millions [francs] of specie. Twelve months previous there was in the same institution only 35 millions.

Letters from Paris state, that the bank of France, in consequence of the very limited applications for discounts made in the depressed situation of commerce, has accumulated a disposable capital of 170 millions of francs, nearly seven millions sterling, which, at this moment, is in a great degree unproductive.—This has led to a reduction of the interest on shares held in that institution, to 6 per cent. per annum, the lowest rate permitted by the conditions on which their charter is held. As the shares in the bank of France are now quoted at 1430, originally issued at 1000 francs, the real interest paid is little more than 4 per cent. and at that period when the government securities of the country are realizing 7 per cent. per annum. The directors of the bank of France are now meditating a measure which will probably approximate their funds and those of the country to the same level—to obtain the sanction of their proprietors to the investment of the portion of their capital, for which no commercial demand arises, in the purchase of rentes; the attempt was made last year, and was then rendered abortive by a majority of one person only.—*London paper.*

Finances. Mr. Roy, the minister of finance, has submitted to the chamber of deputies, a project for authorising the provisional collection of six-twelfths of the direct taxes for the ensuing year; which was ordered to be referred to the Bureaux. The minister afterwards went into a detailed explanation of certain heads of the finances, beginning with the subject of arrears still remaining unliquidated. He announced that the total expense under the budget of 1818, ending 1st Sept. 1819, was 1,415,696,762 francs; and the deficit of ways and means, 35,854,351 francs, to be borrowed from the resources of the present year. Next, that during the 4 years, 1815, 16, 17, 18, the expenditure which France had to bear, was 4,144,000,000 francs, (upwards of 43,000,000*l.* sterling per annum) of which only about 120,000*l.* is wanting to complete

the means of discharging every part of her engagements; and this sum is already provided for from collateral sources. This highly favorable declaration produced a lively movement of satisfaction among the deputies. Of the above sum, more than three fourths were furnished by taxation; the remainder only by credit.

M. la Fayette has addressed the following letter to the editor of the *Moniteur*:

"Paris, Jan. 2, 1820.

"SIR—I read in the *Moniteur* of to-day that I was outlawed in 1792, for having wished to *emigrate at the head of the army*.

"This is the first time that I have ever replied to the calumny those various factions, who understood each other better than was expected, upon the object of *distracting France*, and procuring sentence of outlawry against me.

"My conduct in 1792 is known: it was judged by my country. It became me, therefore, to protest, as applied to myself, against an injurious confusion of proscribed patriotism, with armed emigration, more especially as I have always denounced the latter as the principal cause of the misfortunes of the revolution, and of so many calamities, which have been protracted for too many years, and eternal as affecting myself.

"I think it, therefore, my duty to give a formal contradiction, less to the docile writers of the article, than to the patrons who dictated it.

(Signed) "LA FAYETTE."

A fire broke out on the 13th of October, on the mountains, near Xerer de la Frontera, France, traversing the country for the space of five leagues, and destroying all kinds of property in its terrific course. It is stated that 25 persons have fallen victims to its violence, and that eighty others have been severely burned. Three hundred and sixty eight horses and mules have been destroyed, and 136 severely injured; 474 cows, sheep and goats have also fallen victims.

SPAIN.

The only news we have from Spain has reached us through France. The London papers intimate that the extent of the revolt cannot be gathered from this channel of intelligence—but the following items may serve to shew that it is apparently very formidable:

Cadiz was given up to the patriots about the 11th of Jan. The constitution was immediately proclaimed and an oath generally taken to defend it. The merchants gave a grand banquet on the occasion. The patriot force there amounted to 24,000 men, who appear to have behaved very orderly. The people and the clergy generally in the south of Spain, are reported to have joined against the king. The cry is "*live the constitution—down with Ferdinand!*" Public tables were spread to supply the troops with provisions.

Advices from Madrid as late as the 16th of Jan. are received—they are contradictory, but shew a great degree of alarm. It was believed that an army of 30,000 men were marching to the capital—that the king had prepared himself to run away—some said he had done so, and was killed! A junta had issued a decree forbidding him to leave the kingdom. The account says that he offered to do any thing that the people wished; but it is not probable that they will *again* give him an opportunity to break his oath. Many couriers, in great haste, have arrived at Paris.

A letter from Madrid of the 15th Jan. says—"no accounts from Cadiz—the government publishes nothing—all is alarm."

Several illustrious men are said already to be at the head of the patriots, who, by breaking open the *dungeons*, may find enough persons capable of leading them to battle, or presiding over the affairs of the state.

A Paris paper of Feb. 5, says—The Spanish ambassador has addressed a note to our government, requesting it to cause the conduct of M. M. the Spanish *Liberaux*, residing in Paris, to be observed, and to issue orders that no passports be delivered them.

The ambassador had an audience with the king on the 22d.

Letters from Lisbon of the 17th Jan. received in London, represent the revolt as general in the south of Spain. At Madrid, on the door of the *curse*—inquisition, a placard had been put up running thus—"from this day, this house to let." AMEN.

The London Statesman, of January 26th, in speaking of the news from Spain, observes—"It has been thought proper, by many, to suspend the execution of Spanish orders, till further advices from Cadiz, or the metropolis of that kingdom, are received. Some merchants have even gone so far as to stop the goods and merchandise on board of ships which were consigned to Cadiz, Bayonne, and other places.

☞ We have accounts from Paris of the 8th Feb. A report prevailed that Ferdinand in attempting to make his escape, was slain. Another, that he was assassinated. A letter from Madrid, of the 25th Jan. says that the capital was tranquil—that an amnesty had been offered to the insurgents, which it was thought they would accept of—other advices are the reverse of this. From a country like Spain, it is exceedingly difficult to know what is truth.

Rumors. That the king of Spain has requested the king of France to lend him money and 25,000 men to reduce the rebels, and also that some French ships of war might cruise off Bayonne. That a battle had been fought between the king's troops and the patriots, the latter worsted—but another account says, that the former joined the latter in a body—a third, that the king's guards remained faithful to him and were cut to pieces by his enemies. That Ferdinand wished to shew himself to the people at Madrid, and that the people hooted him into his own proper insignificance—that the young queen appeared, and the people said they wanted nothing of her. That the court would retire to Pampeluna, which is near France, to facilitate an escape by land or sea. That a French army of 20,000 men, under the duke of Angouleme, was to be formed on the frontiers of Spain—that the rebels had seized the count de Calderon, carried him a prisoner to the mountains of Ronda, and profusely published the papers found upon him.

The following summary and remarks is from the *National Advocate*, published at New York—

By the *Stephania*, from Havre, we have received Paris papers to the 6th of February, which are filled with extracts from Spanish papers and letters, relative to the revolution. On the 24th of Jan. the alarm was very great at Madrid; and the increasing power of the patriots afforded no prospects of its termination—Ferdinand had demanded assistance from England—his queen lately arrived from Bavaria, was treated with respect. Cadiz and its environs were occupied by 20,000 men, every thing was tranquil in that city, and Valdes, the son of admiral Valdes, was appointed governor of Cadiz; he is a decided friend to the Cortez and constitution. The army of general Freyre is dispersed and the patriots have nearly half of Spain under their controul. These events, of course, have created great

sensations at Paris; the coffee-houses were filled with politicians, and the only question seems to be, what part will France play in this drama? The king is very delicately situated; *if he moves he is gone.*—The people of France, without reference to party, are in favor of a constitution for Spain, and to the re-establishment of the Cortez—if the king opposes this, he causes his own attachment to the French constitution to be suspected—there is, therefore, a favorable disposition manifested in France towards the patriots, and if the king deems it expedient to assist his cousin Ferdinand with troops, there is not a French soldier will leave Spain. The Spanish troops, the Guerillas, and the peasants generally, have been so accustomed to fight the French, that they will fall on them the moment they enter, for the mass of the Spanish population is in favor of the constitution. Our letters state, that if the count Descazes does not look sharp it will be his overthrow, notwithstanding he has so strong a hold on the king's confidence. There is but one opinion, as to the independence of South America, which this revolt ensures.

With respect to any assistance that Great Britain may afford the beloved Ferdinand, we should question whether they would stir an inch after what has passed. The English have got nothing from the king—their course, is therefore, a plain one.

GERMANY.

A canal is cutting from Vienna to Trieste, to unite the Danube with the Adriatic sea.

One thousand five hundred and ninety three ships arrived at Hamburg, during the year 1819.

This great and interesting country seems to be "delivered" of a free press, and of freedom. The following is from a late London paper.

Nothing can equal the gloom which has taken possession of the public mind in Germany. The journals *hitherto distinguished for independence*, have, one by one, either disappeared, or lost their former conductors, some of whom, along with other public writers, have been obliged, in order to escape from perpetual confinement in the dungeon of a fortress, to seek an asylum in France and in this country.

"From henceforward," says the *Zat Schwingen*, "this paper will appear under *censorship*. Where all lose their freedom, the equality may afford some consolation; and this we have already experienced under *Napoleon*. Let us admire the wisdom of Providence! In order to give repose and harmony to our contradictory wishes, it has given us a common sorrow.

Farewell readers, till we meet again!"

Dr. *Weitzel*, hitherto the editor of the *Rheinische Blatter* published at Wiesbaden, has declared that he renounces the conducting of that journal so long as the present state of things continues.

The *Courier* of the lower Rhine, published at Cleves, has taken a voluntary leave of its readers.

The *Mentz Journal* has renounced the motto of *Fiat Lux*, which had reference to the invention of printing in that city. It is singular enough that the *inquisition against the press* should have its head quarters in the place of its birth.

M. Goerres, the well known editor of the *Rheinisch Mercury*, has been obliged to seek a refuge in the country against which he labored with so much perseverance. His work of *Germany and the revolution*, is considered *aristocratical* by the popular party, and was written with the view of dissuading his countrymen from entertaining any idea of a revolution; but unfortunately for him, it also reproved in strong terms, the departure from the laws in

which the governments had indulged, and this was sufficient to obtain for the author a dungeon in a fortress.—His letter to a Parisian Journal speaks the language of a man conscious of his honorable integrity and his honorable intentions, and is every way such as a man in misfortune may with propriety write to a former adversary.

The wife of the elector of Cassel, a princess of Denmark, died on the 9th of January, aged 73 years. The landgrave of Hesse Homburg, also died on the 21st.

At Amsterdam, Jan. 29th, information had been received of the overflowing of the back country, which had destroyed a vast amount of property, sweeping away great numbers of cattle, &c. in its course, together with a number of the inhabitants. Contributions were making in Amsterdam for the distressed objects of this calamity.

London, Jan. 29. A Flanders mail arrived this morning, bringing Brussels papers to the 26th inst. The states of Wurtemberg were assembled on the 15th January at Stuttgart, whom the king met, addressed a speech replete with confidence and affection. His majesty's determination, seconded by that of the states, to give a free constitution to his country, has endeared him to all ranks of his people.

ITALY.

The American Quaker, Stevens, celebrated as a second Howard, had an audience of the Pope on the 21st Dec. last. As the principles of his sect do not permit him to take off his hat, and as it might be inconvenient for him to keep it on his head, he proposed that some person in the anti-chamber, should take the trouble of uncovering him. This office was performed by M. Capacina, in the department of the secretary of state.

Vesuvius, for 19 months anterior to Dec. last, had not ceased to throw forth streams of lava. But, about the 7th of that month it cast out such quantities as to alarm the neighboring villages; the breadth of the torrent of fire which rushed forth was 25 feet; it reached a precipice on the mountain and for a long time formed a cascade of flame, about 25 feet high! when it fell into an abyss, to come forth again and make a second cascade, and after that a third, sixty feet high, still in a perfect flame! The sight has been described, as it needs must have been, as terribly grand.

IONIAN ISLANDS.

The insurrection which lately broke out in the Island of Santa Maura, was not quelled at the last accounts. The peasantry had had a battle with their "protectors," the British, and killed 6, and wounded 25 men of the 28th regiment. Martial law was proclaimed; the people abandoned their houses and retired to the mountains; and then the British bravely burnt the houses, and destroyed the vineyards, &c. After this, the people rushed from the mountains and severely attacked their "protectors," killing 56 of them, on the 4th of Nov. The island contains between 5 and 6,000 men, capable of bearing arms, besides the women, who seem to have taken an active part in these little battles. The people of these islands have been abominably used by the British—they are ruled as if perfect slaves.

RUSSIA.

It has been so cold in Russia, the past season, that all the public places of amusement had been closed. The thermometer at St. Petersburg, stood at 35 1-2 degrees below Zero.

Letters dated at Kamschatka, June 18th, old stile, state, that on the fourth of that month, an

American merchantman arrived there, in 26 days from the Sandwich Islands, with a cargo of swine, goats, poultry, water melons and potatoes. Some of the latter weighed 10 pounds.

We have a pompous account in a Paris paper, of the Russian settlements in America, at Norfolk Sound—stating that they have a fort there mounting 100 pieces of cannon, &c. and, that troops lately embarked at Cronstad! to recruit the garrison. That the Russians have a post, as stated, is true—but the settlements as yet are quite unimportant. It is evident, however, that Alexander is directing his attention to this remote region—because, no doubt, he has not land enough in Europe, and Asia!!!—not more than five millions of square miles!

New Tariff. A new tariff has been established in Russia, which completely shuts out all the coarse manufactures of cloth. A London paper, speaking of it, says—

"The duty on crushed sugars amounts to a prohibition. The duties on cloth, manufactured cottons, &c. instead of being *ad valorem*, is now proposed to be levied according to the weight, making no distinction being the finest and the coarsest goods of the same denomination. Hence the low priced manufactures, paying the same duty as the more valuable, will be altogether shut out, in order to encourage their own incipient establishments, and only our finer qualities of goods will be admitted, the demand for which is naturally more limited—because in the finer manufactures a length of time must elapse before they can entertain any hope of rivaling us."

Trade with the United States, for the years 1818 and 1819.

	1818	1819
Ships, no.	35	32
Iron, <i>poods.</i>	288,353	148,261
Hemp, do.	7,654	3,948
Sail cloth, & duck, <i>pieces</i>	64,320	31,244
Diapers, <i>arsheens</i>	660,861	158,006
Quills, no.	2,770,000	4,016,000

PORTUGAL.

The weather has been so severe at Lisbon, that in one night, thirty-five fishermen and three sentinels were frozen to death. The ice formed three inches thick in one night, a circumstance unprecedented at that place.

DENMARK.

The mob have again insulted the Jews at Copenhagen. During the Christmas holidays, the windows of the houses of the principal Jewish merchants were destroyed. The cavalry was called out and prevented further excess.

PRUSSIA.

The king of Prussia has issued a decree, prohibiting, in his dominions, the circulation of the journals printed in the Netherlands.

LAPLAND.

The greatest water-fall in Europe has been recently discovered in Lapland. It is on the river Laitin; it is half a mile broad, and falls in a perpendicular descent of four hundred feet.

BARBARY POWERS.

The Paris papers state, that the Marquis Dessolles, minister for foreign affairs, has signed a treaty, by which a debt of 7,000,000 francs claimed in vain by the Dey of Algiers for the last twenty years, refused by all the antecedent ministers, and evaded lately by the duke of Richelieu, is now recognized, and stipulated to be paid by monthly instalments commencing with the 1st of March next.

TURKEY.

A most furious insurrection is stated to have broken out at Smyrna. Much blood has been shed on the occasion. The palace of the Pacha was stormed, and he himself escaped with great difficulty.

There have also been great disturbances at Aleppo. The city was in a state of seige by the Pacha.

SOUTH AMERICA.

Under the circumstances in which Spain is now placed, the complete liberation of South America from the yoke of Spain, cannot be far distant. Late accounts from Venezuela tell us that Morillo was reduced to the most desperate shifts to maintain himself, and that the patriot army from Granada was about to be possessed of Maracaibo and Santa Martha. Their force was estimated at 8000 men. The British troops, of Devereux's legion, were yet inactive. Dr. Zea is coming out as a minister to the U. States.

CONGRESS.

IN THE SENATE.

March 10. The senate resumed the consideration of the bill to establish a uniform system of bankruptcy; and having proceeded as far as the 2d section thereof, which provides for the appointment by the district judges, of commissioners of bankruptcy—

Mr. Burritt observed that he had an objection to the provisions of this section. He would prefer that these commissioners should be appointed in such numbers as might from time to time be deemed necessary, by the president of the United States. Mr. B. moved so to amend the section as to make it conform to his wishes.

After debate, the amendment was agreed to.

Mr. King, of N. Y. laid upon the table the following important resolutions:

Resolved, That, from and after the — the regulations and provisions of the act, entitled "An act concerning navigation," passed on the 18th day of April, 1818, be and hereby are, extended, and made applicable to the colony or island of Bermuda; to the Providence or Bahama Islands, and to all other colonies, islands, and places, under the dominion of Great Britain, in the West Indies, which are not now included within the regulations and provisions of the act aforesaid.

Resolved, That, from and after the — no goods, wares, or merchandize, shall be imported into the United States from the provinces of New Brunswick, the province of Nova Scotia, the island of Newfoundland, or its dependencies; the colony or island of Bermuda; the Providence of Bahama Islands, or any of them; or from any other province, colony, island, or place, under the dominion of Great Britain, in the West Indies, except such goods, wares, and merchandize only, as are truly of the growth, manufacture, or produce of the province, colony, island, or place, from which the same shall be directly imported into the United States; and that all goods, wares, and merchandise, prohibited to be imported into the United States, as aforesaid, except as aforesaid, which, after the said — shall be imported, or attempted to be imported, into the United States, contrary to the provisions of this act, shall be liable to seizure, and forfeited to the United States.

The bill from the other house authorizing the appointment of a register and a receiver of public moneys in Lawrence district, in Arkansas, was taken up and ordered to a third reading.

The senate took up the bill for the relief of Ga-

브리엘 Godfrey, [making him compensation for a barn destroyed by the United States' troops in the battle of the River Raisin.]

This bill gave rise also to considerable discussion, as many of the various and multifarious claims growing out of the late war often do in both houses of congress. The discussion turned in this case chiefly on the propriety of allowing compensation for damage done by a soldier, when it was not in evidence that he acted by the command of an officer; but this case derived no little interest from the great gallantry of the act which gave rise to this claim. The anecdote, as related by Mr. Trimble, and confirmed by other gentlemen from the west, was briefly this. In the combined attack by the British and Indians of general Winchester's army at the river Raisin, the enemy derived great advantage from a barn within short rifle shot of the picketing of the American camp, by means of which they were not only sheltered but enabled to fire into the pickets. It was all important that the barn should be destroyed and the enemy dislodged. The soldier in question, at the almost certain sacrifice of his life, rushed from the pickets to the barn with a torch and set it on fire; and had the good fortune to escape the bullets that were showered at him, though he suffered greatly in his rigging. It was this barn, which the soldier's torch destroyed, that compensation was prayed for.

This bill, after discussion, was ordered to a third reading.

March 13. Mr. Mellen, according to notice, having asked and obtained leave, introduced a bill to apportion the representatives from the states of Massachusetts and Maine, in the next congress, (giving to Massachusetts thirteen, and to Maine seven members in the seventeenth congress.)

Mr. King, of N. Y. laid on the table a rule designating those who shall hereafter have the privilege of coming on the floor of the senate.

On motion of Mr. Trimble, it was

Resolved, That the secretary of the treasury cause to be communicated to the senate a statement of the quantity of land which has been sold, the quantity which remains unsold, and the amount of sales in each land district in the states of Ohio, Indiana, and Illinois, respectively.

The bankrupt bill being taken up, was postponed until Thursday, when it is probable that it will be fully discussed.

The bill, from the other house, authorising the appointment of a register and a receiver of public moneys, for Lawrence district, in Arkansas, and the engrossed bills for the relief of Gabriel Godfrey, of Joseph Lefebvre, and of John Harding and others, were severally read the third time and passed, and the three last sent to the other house for concurrence.

March 14 Among the petitions presented and referred to-day, was one by Mr. Sanford, from the Ocean steam boat company of New York, praying a law to authorise the issuing of registers for their steam vessels, in their corporate name, and to authorise commissions to the commanders of them, or in any other mode to invest them with the character of public vessels; also to allow the usual drawback on the fuel consumed; and also to direct the post-master-general to contract for the transportation in them of the foreign mails.

The senate took up the resolutions submitted by Mr. King, of N. Y. on the 10th inst. concerning navigation.

Mr. King explained pretty much at large his views in offering the resolutions, and the reasons

which he conceived should induce this government to adopt the policy which they suggested; after which the resolutions were, on his motion, referred to the committee on foreign relations.

[The senate was busily employed this day, but nothing of a definite character transacted, except to order the, after explanation, the bill from the other house, for the support of the navy for 1820, by general consent, to a third reading, which being done, it was passed.]

March 15. After a variety of other business,

The senate took up the bill supplementary to the several acts for the adjustment of land claims (under French and Spanish grants) in the state of Louisiana and territories of Missouri and Arkansas.

Debate being hard—the bill was postponed until Friday.

The bill for the relief of Vincent Grant, (to indemnify him for the loss of a house destroyed by the enemy on the Niagara frontier, in the late war, on account, as was alleged, of its occupation as a depot of naval stores, &c. for the United States' service) was taken up.

After debate, the senate refused to order the bill to a third reading, and so it was rejected.

The senate then resumed the consideration of the bill for the relief of John H. Piatt, (providing for the equitable adjustment of his claims against the government, for supplying the north-western army in the late war.)

Many members spoke on the subject—and the senate adjourned while a motion to re-commit the bill to the committee of claims, was under consideration.

HOUSE OF REPRESENTATIVES.

Thursday, March 9. Mr. Lowndes, from the committee on foreign relations, delivered in the following report:

The committee to whom has been referred so much of the president's message, at the commencement of the session, as relates to foreign affairs, respectfully report:

That their attention was directed, immediately upon their appointment, to the state of the relations of the United States with Spain, and that their delay in making a report upon them, must be attributed to their wish "to afford an opportunity for such friendly communications, during the present session of congress," as the government of Spain had authorized us to expect. They thought it better that congress should postpone its determination until events might enable it to make that determination definitive, than that it should pass a contingent act for authorizing measures which it was not proposed immediately to execute; that it should found its determination upon relations ascertained to exist, than upon a calculation of events which might be expected to occur during its sitting.

But more than a year has passed since the signature of the treaty, by which it was proposed to terminate the long differences between the United States and Spain. More than six months has passed since the appointment of a new minister from Spain, who was "forthwith" to make known to the United States, the intentions of his government, and we have advanced so far in the session as to make it necessary to propose, without further delay, any measure on which it is expected that congress shall act before its adjournment.

The committee will not attempt to add any thing to the exposition of the rights of the United States and the obligations of Spain, which is contained in the correspondence between the two governments. We can hardly expect, from continued negotiation,

the redress which has been claimed for twenty years, and promised for eighteen—which has been a second time promised, and a second time withheld. In such a negotiation, the signature of a treaty seems to be a mere incident, and not its term.

For the spoliation which has been committed upon the property of our citizens, for the invasion of our soil, for the weakness or partiality which has made a Spanish territory the place of rendezvous and encampment of an enemy, and which has still more lately, permitted the Indian inhabitants of that territory, (whom Spain was bound by treaty to restrain,) to engage in savage hostilities against us; for all these acts of war, a people less attached to peace would seek redress only by war. To capture and confiscate the ships and property of the wrong-doer, would be admitted to be a policy, of mildness and forbearance. But, by such reprisals, the government that does the wrong, suffers less than the unoffending subject. It seems a more just reprisal to occupy the province which has been made an instrument of injury, which has been designated by Spain herself as the fund for our indemnity, and whose occupation by the United States, will stop the accumulation of those claims for compensation and redress, which the misgovernment of that neglected colony continually produces.—The committee submit to the house a bill to authorize the president of the United States, to take possession of East and West Florida, and establish a temporary government therein.

There appears too much reason to believe, from the mistake of the Spanish negotiator, as to the dates of the Spanish grants, which it was intended to annul, if the projected treaty had been ratified, that the crown lands in Florida may be insufficient to provide the expected indemnity for our losses.—But these may be applied, as far as they will go, to the compensation of our citizens, and for the excess of our claim, Spain, by whose act the domain of Florida has been rendered inadequate, must expect us to look westward. Perhaps, when our attention is thus forced to a direction more interesting to Spain, her government may at last admit that it is as much her interest as ours, that the just claims of the United States should be provided for, by friendly convention, and we may hope that the next treaty between the two nations may be executed as well as signed.

The following bill accompanied the report:

Be it enacted, &c. That the president of the United States be, and he is hereby authorized and required to take possession of, and occupy the territories of East and West Florida, and the appendages and appurtenances thereof; and he is hereby authorized, for that purpose, to employ any part of the army and navy of the United States, and the militia of any state, which he may deem necessary.

Sec. 2. And be it enacted, That until the end of the next session of congress, unless provision for the temporary government of the said territories be sooner made by congress, all the military, civil and judicial powers exercised by the officers of the existing government of the same territories, shall be vested in such person and persons, and shall be exercised in such manner, as the president of the United States shall direct, for maintaining the inhabitants in the free enjoyment of their liberty, property, and religion; and the laws of the United States relative to the collection of the revenue, and the importation of persons of color, shall be extended to the said territories; and the president of the United States shall be, and he is hereby authorized,

within the term aforesaid, to establish such districts for collection of the revenue, and during the recess of congress, to appoint such officers, whose commissions shall expire at the end of the next session of congress, to enforce the said laws, as to him shall seem expedient.

Sec. 3. *And be it enacted*, That the sum of — dollars is hereby appropriated, for the purpose of carrying this act into effect, to be paid out of any money in the treasury not otherwise appropriated, and to be applied under the direction of the president of the United States.

The bill was twice read, and referred to a committee of the whole on the state of the union,

Mr. Strong of Vt. submitted for consideration the following resolution:

Resolved, That the president of the United States be requested to lay before this house such information as he may think proper, relating to the progress, proceedings, and final accomplishment of the commissioners, appointed agreeably to the 4th, 5th, 6th, 7th, and 8th articles of the treaty of Ghent, in ascertaining and settling the boundary line between the United States and Great Britain, in conformity to the second article of the treaty of 1783? and whether it is ascertained, that the fortification at Rouse's Point (so called) on lake Champlain, near the 45th degree of north latitude, is within the boundary limits of the government of the United States, or of Great Britain; and what has been the amount of the expenditure in erecting said fortification; and also to give such further information as he may think proper as to the whole amount of the expenditure already accrued to the United States in carrying in to effect said treaties, subsequent to the appointment of said commissioners, including their annual salaries and perquisites.

And the resolve was ordered to lie on the table.

Mr. Pindall moved again, (having on several previous days made the same motion unsuccessfully) that the house do now proceed to consider the resolution submitted by him on the 18th ult. proposing an amendment to the rules of the house in relation to the duties of stenographers, admitted within the house; and the motion was negatived.

The resolution lying on the table to authorize, the publication of part of the secret journal of congress, under the articles of confederation, and the amendments reported thereto by the select committee, being read, were concurred in by the house, and the resolution, as amended, was ordered to be engrossed and read a third time.

The following message was received from the president of the United States:

To the speaker of the house of representatives.

I transmit to the house of representatives, in pursuance of their resolution of the 22d of last month, a report from the secretary of state, with the papers containing the information requested by that resolution.

JAMES MONROE.

Washington, 8th March, 1820.

To the president of the United States.

The secretary of state, to whom has been referred the resolution of the house of representatives of the 22d ultimo, requesting the president to impart to that house, any communications touching the Florida treaty, which have not heretofore been communicated, and the communications of which, in his opinion, may not be prejudicial to the interest of the United States, has the honor of submitting to the president the papers containing the information in possession of this department requested by the resolution.

JOHN QUINCY ADAMS.

Department of state, 7th March, 1820.

[The documents accompanying this report were ordered to be printed.]

The house again resolved itself into a committee of the whole on the bill appropriating monies for the support of the military establishment for the year 1820.

The whole of the remainder of the day was occupied on this bill, and principally on the subject of the appropriation for fortifications.

The debate resulted in fixing on 800,000 dollars as the amount of appropriation for fortifications, for the present year being the sum recommended by the committee of ways and means.

Before finishing the consideration of this bill, the committee rose (at 4 o'clock) and the house adjourned.

[The debate on the item for fortifications was animated and interesting. It chiefly turned on the right and expediency in the executive to make contracts anterior to appropriations, which was fully discussed. Mr. Clay said, that the head of every department agreed that retrenchment was necessary, but that each would object to it in his particular department. The duty was therefore imposed on congress, &c. He was in favor of only 500,000 for fortifications—but the amount was put at 800,000 as originally recommended, 73 to 61.]

The appropriation for completing the arsenal at Augusta, in Georgia, was stricken out.

Mr. Clay, in offering the following amendment, briefly adverted to its importance and interesting nature. There was, he said, 11 states, (counting Missouri and Arkansas,) more or less interested in it. Many steam boats were employed in this navigation, and many more would be; and he did verily believe, that, by an expenditure of a hundred or a hundred and fifty thousand dollars, and an annual expenditure thereafter of 10 or 15 thousand dollars, the navigation could be made perfectly safe. He hoped as this appropriation was analogous to one or more contained in the bill, there would be no objection to it.

"For making a survey, maps and charts of the Ohio and Mississippi rivers, from the Rapids of the Ohio at Louisville, to the Balize, for the purpose of facilitating and ascertaining the most practicable mode of improving the navigation of those rivers, five thousand dollars."

Friday, March 10. On motion of Mr. Cannon, it was

Resolved, That the committee of the whole house who have under consideration the bill making appropriations for the military establishment for the year 1820, be instructed to enquire into the expediency of abolishing the military academy at West Point, in the state of New York; also of repealing all laws in relation to said academy, from and after the first day of May next, and exposing to sale to the highest bidder, all the property of the United States, in and about the same, in such manner as may be directed by the president of the U. States.

The bill from the senate, for changing the mode of disposing of the public lands from credit to cash, and the bill, also from the senate, for extending the time for payment for the public lands, &c. were twice read, and referred to the committee on public lands.

The engrossed resolution directing the publication of the secret journal of the old congress, from the treaty of 1783, to the commencement of the government, was read a third time, and passed.

The house having again resolved itself into a committee of the whole, Mr. Beecher, in the chair, on the annual military appropriation bill—

Mr. Cocke enquired, from the chairman of the committee of ways and means, what portion of the appropriations contained in this bill, related to the expenses of the expedition up the Missouri river—his object being to strike out that part of the appropriation.

Mr. Smith, of Maryland, answered, that he could not say more on this subject than was disclosed by the report on this subject from the war department, in pursuance of the requisition of this house, and which was in the possession of the house.

After some conversation, it appeared to be settled that the proper time for Mr. Cocke's motion would be when the question came before the house for concurrence in the appropriations agreed to by this committee.

And, on motion of Mr. Clay, this bill having been gone through, it was ordered to lie on the table.

The house then proceeded to the consideration of the proposition of Mr. Cannon, directing the committee of the whole to enquire into the expediency of abolishing the military academy.

Whereupon a debate of three hours arose.

Mr. Clay submitted a resolution, "that it is *inexpedient* at this time to abolish the military academy at West Point.

Those who supported the affirmative and negative sides of this proposition, in debate, were as follows:

Affirmative.—Messrs. Clay, Wood, Campbell, Foot, Tomlinson, Fuller, Smith, of Md. Smyth, of Va. Bloomfield, Brown, and Case.

Negative.—Messrs. Livermore, Ross, Stevens, Walker, Smith, of N. C. and Cannon.

Among the supporters of the academy, Mr. Campbell, and perhaps others, were of opinion the number of students might be reduced one half, and of course, the expenditure proportionably.

A motion was made to strike out the syllable *in* from Mr. Clay's motion, so as to make it read *expedient* instead of *inexpedient*. This motion was negatived, after a division, in which it was supported by 41 votes.

And Mr. Clay's motion prevailed by a like majority.

The committee then rose and reported their agreement to this resolution; and also reported, with amendments, the military appropriation bill.

And the house adjourned.

Saturday, March 11. The message received yesterday from the president of the United States, was read, transmitting to congress a report from the director of the mint, of the operations of that institution during the last year.

Among the petitions to-day, was one from the chamber of commerce, in the city of Philadelphia, praying that the system established by law of allowing a credit for the duties on goods, wares, and merchandize imported into the United States, may not be changed to a cash payment of said duties; which was referred, and ordered to be printed.

The house proceeded to consider the report of the committee of the whole on the bill making appropriations for the support of the military establishment for the year 1820.

On the question to concur in filling the blank for medical, hospital, and quarter master's stores, with \$500,000 dollars, a debate was commenced by Mr. Cocke, of Tennessee, opposition being made to it by him, on the ground of hostility to the Missouri expedition.

The further prosecution of the expedition was

supported by Messrs. Simkins, Strother, Smith of Md. Cook, Quarles, Smyth, of Va. Rhea and Sergeant, and opposed by Messrs. Cocke, Storrs, Hardin, Ross and Foot—

The question being taken on agreeing to the proposed sum of \$500,000 for this item of expenditure, was decided thus:

For this amount	70
Against it	75

So the house refused to concur with the committee of the whole in filling the blank with this sum.

And without proceeding further in the bill, the house adjourned, at near 4 o'clock.

[Speaking of this debate, the National Intelligencer observes—"no exception was taken to the motives of the expedition, but the practicability of accomplishing its objects was questioned, and their importance if accomplished to the full, was alleged to have been over-rated. The idea generally held forth by those who opposed the appropriation, was that the expedition should be recalled to the Council Bluffs, and that, for the present, that post should be the extreme military station in that direction. Those who vindicated the expedition, placed themselves on the ground occupied by the official report from the department on the subject.

The division of opinion on the subject did not appear to us to be marked by any party or sectional line, east, west, north and south, republicans and federalists dividing upon it into nearly equal parts."]

Monday, March 13. On motion of Mr. Pindall, the house proceeded to the consideration of the motion submitted by him some weeks ago, for amending the rules of the house, so as to oblige the stenographers admitted within the walls to be under oath &c.

[After debate, *negatived*—see last vol. 398. So stenographers may publish as they oftentimes do, things as speeches delivered in the house, which never were delivered! But the plan proposed by Mr. Pindall, was not practicable in all its parts.]

The house then again proceeded to the consideration of the bill making appropriations for the support of the military establishment for 1820.

And the question being taken on filing the blank for the amount of appropriation for the quartermaster's department—the house having on Saturday refused to fill it with 500,000 dollars—

Mr. Cocke moved to fill the blank with 400,000 dollars—Mr. Trimble with \$480,000. Mr. Holmes with 495,000 after much debate, Mr. Cobb, moved for 450,000 which was agreed to, by a large majority.

[It appears to be determined by the house that the expedition shall not proceed further than the Council Bluffs, which is about 450 miles above the mouth of the Missouri, and nearly 200 miles beyond the most remote of our settlements. The Mandan villages are between five and six hundred miles (by land) above the Council Bluffs, and the mouth of the Yellow Stone river 300 miles further.]

Tuesday, March 14.—Mr. Smith, of Md. presented a petition of sundry merchants and underwriters in the city of Baltimore, in the state of Maryland, praying to be indemnified for spoliation committed on their property on the high seas by French cruizers, between the years 1793 and 1798, under the authority of illegal orders and decrees, issued by the government of France; their claims upon which for redress were relinquished by the government of the United States, in the convention of the 30th of Sept. 1800: and the petition was ordered to lie on the table.

Mr. Smyth, from the military committee, reported a bill for the regulation of the military academy—twice read and committed.

On motion of Mr. Cobb, it was

Resolved, That the president of the United States be requested to communicate to this house any information which may have been received by the department of state, or other executive department, of the amount of claims of the citizens of the United States for Spanish spoliation upon their property and commerce, or those for which the Spanish government is held responsible.

Mr. Bloomfield submitted the following resolution:

Resolved, That brigadier-gen. Boyd, of the army of the United States in the late war with Great Britain, be admitted within the house of representatives.

The said resolution being read, Mr. Floyd moved to lay the same on the table; which motion was negatived, and

The resolve was agreed to.

The house resumed the consideration of the bill making appropriations for the support of the military establishment for the year 1820.

The item of *fortifications* next presenting itself for consideration—and the question being on concurring with the committee of the whole in filling the blank for the amount with the sum of *eight hundred thousand dollars*—

Mr. Butler, of N. H. and Mr. Cocke, opposed the filling the blank with the amount, and Mr. Smith, of Md. defended it.

The question was decided affirmatively, by yeas and nays, 103 votes to 51.

The next question was on concurring in the appropriation for contingent expenses, books, maps, &c. for the military academy.

To try the sense of the house on the question of appropriating any thing for that institution, the question was taken by yeas and nays, and was decided in favor of the appropriation by 111 votes to 42.

On the question to concur with the committee of the whole in striking out the clause making an appropriation for the completion of the arsenal at Augusta, in Georgia—

Some debate took place between Messrs. Cobb, Smith, of Md. Reid, and Cuthbert, on the subject. When, on the question being taken, the house refused to strike out t clause; and a r ed to fill the blank with the sum of 27,000 dollars, viz. 25,000 for completing the arsenal, and 2,000 dollars for draining the marsh near it.

The next item which excited attention was that which embraces an appropriation of \$2,776,000 for the payment of the military and revolutionary pensioners. Hereupon arose a debate; it began by Mr. Bartow's objecting to the amount of this appropriation, because of his intention to propose certain restrictive provisions on the subject, as, if adopted, would reduce the number of revolutionary pensioners. The debate was kept up with some animation until near 4 o'clock; when the house decided, by yeas and nays, to agree to the above amount of appropriation, being necessary to the payment of the pensions actually granted.

The bill was then at length ordered to be engrossed for a third reading; and

The house adjourned.

On the question to appropriate 495,000 dollars to the quarter master's department, to continue the

expedition up the Missouri—the yeas and nays were as follows:

YEAS—Messrs. Abbot, Allen, of N. Y. Allen, of Tenn. Baldwin, Beecher, Bloomfield, Boden, Brush, Case, Clark, Cook, Crowell, Cushman, Cuthbert, Drillington, Dennison, Dewitt, Dickinson, Downs, Earle, Edly, Ervin, Fisher, Ford, Fullerton, Gros. N. Y. Gross, of Penn. Guyon, Hall, of N. Y. Hazard, Hendricks, Hibban, Hill, Holmes, Hostetter, Jones, Tenn. Kinney, Little, Lyness, Macley, of Lane, Del. McLan, of E. n. Mason, Meach, Meigs, Metcalf, S. Moore, N. wron, Parker, of Mass. Parker, of Va. Patterson, Philson, Pinkney, Pitcher, Rankin, Rhea, Rich, Rogers, Sampson, Sergeant, Silsbee, Simkins, Sloan, Smith, of N. J. Smith, of Md. B. Smith, of Va. A. Smyth, of Va. Str-ct, Strong, N. Y. Strother, Swearingen, Tompkins, Trimble, Wallace, Wendover, Williams, of Va. Wood.—77.

NAYS—Messrs. Adams, Alexander, Allen, of Mass. Archer, of Va. Baker, Barbour, Bateman, Bayly, Brown, Bryan, Buffum, Burwell, Butler, of N. H. Buttrick, of Lou. Campbell, Cannon, Cigaret, Cobb, Cocke, Crafts, Crawford, Culpepper, Davidson, Edwards, of Con. Edwards, Penn. Edwards, N. C. Fay, Floyd, Folger, Foot, Forrest, Hall, of Del. Hemphill, Herrick, Hyster, Hooks, Johnson, Kendall, Kent, Lathrop, Lincoln, Linn, Livermore, M'Coy, M'Cready, Mallory, Marchand, R. Moore, Monell, Morton, Murray, Neale, Nelson, Mass. Nelson, of Va. Overstreet, Phelps, Pindall, Plumer, Quarles, Reed, Richards, Richmond, Robertson, Ross, Russ, Settle, Shaw, Shilcomb, Smith, N. C. Southard, Stevens, Storrs, Strong, W. Tarr, Taylor, Terrill, Tomlinson, Tracy, Tucker, of Va. Tucker, of S. C. Upham, Walker, N. C. Warfield, Williams, N. C.—84.

[The sum agreed upon was 450,000 dollars.]

Wednesday, March 15. The speaker laid before the house a letter from the war department, transmitting statements of the sums which have been actually paid since the peace establishment, to the general officers and their staff, specifying particularly on what account, to whom, and when paid—rendered in obedience to a resolution of this house.

The engrossed bill making appropriations for the support of the military establishment during the year 1820, was read a third time, passed, and sent to the senate.

The remainder of the day was spent in committee of the whole on the appropriation bill for the payment of the civil list.

Considerable discussion took place in some of the items of the bill; particularly on that appropriating the salary of a thousand dollars to the reporter of the decisions of the supreme court. A motion to strike out that clause failed by a large majority.

The committee had not gone through the bill at half-past three o'clock: when the committee rose, reported progress, and obtained leave to sit again. And the house adjourned.

THURSDAY'S PROCEEDINGS.

The senate was chiefly occupied this day on the bankrupt bill. A motion to postpone it indefinitely was rejected by yeas and nays—yeas 14. nays 25.

The house of representatives. This day was nearly occupied in a debate on the civil appropriat on bill; and chiefly on the clause which proposes an appropriation of one hundred thousand dollars "for completing the contracts for constructing the road from Washington, Pennsylvania to Wheeling, made during the year 1817."

The house rose without deciding on the subject. The power of congress on this matter was discussed at large.

The mail, from New York proceeding eastwardly, was robbed near New Haven, on the evening of the 9th inst. and completely carried off. Though the night was exceedingly dark and stormy, the people turned out, and discovered the bags with many letters broken open lying near them. The amount of loss is not ascertained. The robber has been caught, and all his plunder recovered.

* An interesting "Chronicle" is shoved out.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Assisted by a SUPPLEMENT to the present number, we are enabled to conclude the long report of the secretary of the treasury on the currency, &c. together with the tabular statements thereunto attached, and also to give a great variety of other interesting matter, including a quantity of late foreign news.

Other voluminous documents *must be deferred* until after the rising of congress: by giving up so much room to them, we are often compelled to neglect things needful to the current history of things, as well as deny that variety to our work on which we must depend to have it generally read. We regularly receive every useful paper laid upon the tables of the members, in either house—and shall take care that nothing is lost to our readers which we suppose it may be pleasing to them to see *Registered*. Among those on hand, is the memorial of gen. Jackson to the senate, which, with its accompanying documents, makes a heavy pamphlet of 61 pages.

An original article signed "one of the people," was, for mechanical convenience, located at the end of the supplement. It often requires a good deal of contrivance to make tabular statements conform to the size and succession of our pages.

The editor of the REGISTER has much cause to be grateful for a constantly increasing list of subscribers. For several months, they have averaged not much less than *three per day*. But the common want of business to give circulation to money, has almost stopped the usual sales of complete sets of the work for the present, and prevented nearly one half, perhaps, of the customary receipts on account of former subscribers. It would not be right, either to the editor or his readers, in these pinching times, rigidly to enforce the rule of payment *in advance*; but as he is sincerely in want, he respectfully requests that every gentleman indebted to him, will forthwith *endeavor* to square up his account, which has been, in most cases, either furnished to individuals, or deposited with an agent in the vicinity, and there are very few instances in which the amount due cannot be easily ascertained. The bills of any specie paying bank will be received for the REGISTER.

Melancholy occurrence. A duel was fought on Wednesday morning last, near Bladensburg, between the victor of the Macedonian, com. *Decatur*, and com. *Barron*, who commanded the Chesapeake frigate, when she was overhauled by the British ship *Leopard*. They fought at 8 paces, with pistols—at the first fire, both were wounded—com. *Decatur* through the abdomen, of which he died at half past 10 o'clock, in the evening; and com. *Barron* severely on the right hip, the ball glancing from the bone, which probably, also, saved his life: though it is said he is dangerously injured. Com. *Bainbridge* was the second of *Decatur*, and capt. *Elliot*, of the navy, of *Barron*—both of whom, it is stated, soon left the ground. Com. *Decatur* was carried to his own house in Washington city, to the arms of his distracted wife, in the arms of com. *Rodgers*, where he expired; his case being attended from the first with vomiting of blood, hiccup, &c. The difference is supposed to have had its origin in

an old quarrel—probably as old as the "affair of the Chesapeake."

Com. *Barron*, it will be recollected, was suspended for five years, for alleged misconduct in the Chesapeake frigate in 1807, when she was attacked by the British ship *Leopard*—a particular account of which and of the proceedings thereon, may be seen by referring to the first vol. of the REGISTER, page 49. The navy list runs thus—Captains Murray, Rodgers, *Barron*, *Bainbridge*, Campbell, *Decatur*, &c. With the expiration of his suspension, com. *Barron* resumed his rank, and though we believe he never has been on duty since the Chesapeake affair, it is said that he recently claimed the command of the Columbus 74, as the senior of com. *Bainbridge*, which claim was resisted by all the navy board, and especially by *Decatur*—who had succeeded *Barron* in the command of the Chesapeake, on her return to port after being attacked by the *Leopard*. Former heart-burnings were revived—and the rencontre took place which the nation will long deplore.

The excitement at Washington City, when *Decatur's* case was known, was without parallel. A "drawing room," as it is called, was to have been held that evening at the president's house, which was postponed—and the residence of the commodore was surrounded by an anxious multitude until his decease was announced. He suffered much.

THE CUMBERLAND ROAD. Some interesting facts respecting this great national work, will be found among the proceedings of congress. We are truly surprised at the project of exacting a toll upon it, with the establishment of a regiment of gate-keepers, in the service of the United States. We cannot believe that this noble work, designed for the interesting purpose of drawing the western states nearer to those on the sea-board, will be disgraced by two-penny collections of toll, at every ten miles of the road. Provision ought to be made to keep it in repair; and perhaps, as, for the patriotic purpose just stated, the general government has made the improvement, those who are immediately benefitted by it ought to contribute enough to keep it in order—but no more; and that also in the least troublesome or oppressive manner: not by ten-mile-toll-gates, the keepers of which would eat up the greater part of their receipts, and leave little, if any thing, for repairs. If national works are to be managed on the principle now proposed to be applied to the Cumberland road, we do not wish to hear of any more of them. But there are many *specialties* belonging to this improvement, which we have neither time nor room to notice just now.

New and interesting work. In the 3rd page of the present volume, we inserted the eighth chapter of a work then in the press, entitled "*A Rapid Sketch*," &c. It is since published with the following title—"The New Olive Branch, or an attempt to establish an identity of interest between agriculture, manufactures and commerce—and to prove, that a large portion of the manufacturing industry of this nation has been sacrificed to commerce; and that commerce has suffered by this policy nearly as much as the manufactures." By M. CAREY.

We sincerely recommend this new product of Mr. Carey's indefatigable pen, to the attentive perusal of every political economist or seeker after truth. His propositions are explained with uncommon precision and strength, and supported by a continual reference to official documents. It is, certainly, the master-work of its sort that we have seen; and, on account of its statistical facts alone, is worth more than the money charged for it. Mr. Carey does not write either for profit or for fame, though we think he is well entitled to receive both:—his great purpose is to cause labor to be respected, and to bring about a system of policy which shall give to the laboring capacity of the nation a reasonable state of perfection, as the only means by which our country can be relieved of its embarrassments. The person who buys more than he sells, must be beggared.

European Prospects.

Since our last, we have again received late and important news from Europe. Our first attention is naturally directed to the progress of the revolt or revolution in Spain; but the intelligence is vague and uncertain, except that Cadiz yet remained in the hands of the royal authorities as late as the 1st of February*—but the substance of what has reached us is given under the proper head, page 64. It does not appear that the insurgents, or patriots, have carried on their work with the necessary energy and decision—but the leaders had much to do to organize the army to the new state of things, and no doubt, many difficulties to encounter: on the other side, the measures adopted by the court to suppress the insurrection, seem to partake of its usual imbecility and laziness. The next arrival will probably give us something of a decisive character. We hope for the best, and trust that, as before observed, a great act of justice is about to be performed on Ferdinand the ungrateful, and his infamous councillors and priests. It is not likely that he will obtain any foreign aid against his revolted subjects. He is despised by all the world—there cannot be any feeling for him, except that which arises from the *common interest of kings*; and those of France and Great Britain, who act by constitutions, or at least affect so to do, will hardly put forth their hand to sustain a tyrant who has trampled all law under his feet. Indeed, we should suppose that the state of France is such that the king's ministers will not dare to move one step for the relief of Ferdinand:—it is evident from many circumstances and the repeated declarations of the king himself, that there is a vast force in that country disposed to what he calls "anarchy"—many royal measures are contested in the chamber of deputies with a freedom and zeal which shews that the opposition is strongly supported by the people. It is probable also, that the veterans in the French army would hardly march into Spain, to support the king. They would recollect the havoc of former campaigns, and reason on the *expediency* of hazarding their lives in a cause in which it is impossible that they should have an interest. The circumstances too, of the late horrible assassination of the duke of Berri, will have a powerful tendency to keep Louis quiet—he is a feeble man at best, and by no means fitted for the times in which he lives—

*P. S. We learn from Anvers, "direct from Spain" under date of the 16th Feb. that "*positive news*" had been received there of the occupancy of Cadiz by the insurgents.

to grasp the sceptre lately wielded by the firm hand of *Napoleon*.† As we believe that France cannot, so we also think that Great Britain will not, interfere in the quarrel in Spain. There is nothing to gain by supporting Ferdinand, but much to hope for from a revolution. It will make a considerable demand for articles which she can furnish from her workshops, and augment or facilitate her commerce with the colonies of Spain—perhaps, open the way to get possession of some of them, so ardently desired by her. Besides a war against the "Spanish patriots" would be the most unpopular act that can be imagined in England, where Ferdinand is universally execrated for his baseness and bigotry—the highest-toned *loyal* prints uniformly speak of him as infamous; indeed, he has shown as little gratitude to Great Britain as to his own subjects, for the exertions which, (whatever were their real purposes,) placed him on the throne. And the state of England at this time is such, that it would be highly inexpedient to excite the popular discontent—the late alarming disposition to riot has subsided, but the *materiel* of insurrection is undiminished;—a new king too, has just been proclaimed—the parliament is dissolved, and many internal regulations are to be made. It is therefore in every respect, the interest of England, as well as her inclination, to stand neutral, and suffer the Spaniards "to manage their own affairs in their own way," at least for the present. Unless France or Great Britain moves in this quarrel, it cannot be expected that any other of the European powers will interfere. Russia, Austria and Prussia are too distant to give immediate aid to Ferdinand, if so inclined, and they cannot render it if they would, without the aid of the British fleet to transport their troops by sea, or the permission of France to march them through that country—neither of which can be thought of, if the latter powers resolve to stand neutral. Ferdinand, then, has no hope but in the power of his priests over the multitude, the influence of his favorites and officers, and in the vulgar prejudice to support him as king—"the Lord's anointed!" What these will avail him are yet to be seen. It appears to us, however, quite certain, on regarding the actual condition of Spain, that if the "patriots," when they first come fairly into contact with the royal army preparing to march against them, have the advantage—that Ferdinand's flight or death must needs be the consequence. The victory would open the dungeons and bring forth men of high renown, once the pride of Spain, to lead the people on to glory, and establish a government which in time would prepare them to enjoy a considerable portion of the blessings of liberty, civil and religious. With such prospects, we cannot be indifferent to the result.

And, if the revolt in Spain ends in a revolution—that is, if it succeeds, and Ferdinand is shaken off, who can calculate its effects on the rest of Europe—long likened to a volcano whose interior fires only want an exciting cause to burst forth with redoubled violence? The prospect is awful—happily for the United States, we have no "entangling alliance" to bring us into the conflicts of nations. It is our true policy to act justly to all and between all, and remain as *quiet* as possible, that we may gather strength to repel any assault, which even

†P. S. Later accounts—see "Foreign articles," shew us that France herself may be on the eve of a revolution. Such has been the state of the old world for several years, and such is its present condition, that we are *prepared* to receive wonderful news from any part of it, at any time.

the most rigid state of neutrality may not exempt us from. The civilized world is in a singular state—so unsettled, that there is no such thing as telling to-day what the morrow may bring forth; and the opinion is generally entertained, that the “age of revolutions” is not over.

Relations with Spain.

We have a pamphlet of 30 heavy pages, containing the papers which accompanied the president's message to the senate of the 8th inst. in relation to our affairs with Spain. On slightly looking over this mass of matter, we cannot consent to promise it a place in the *REGISTER*, for there is not any thing new in the whole of it!—the old story, of demanding justice on our part, and neglect or evasion on the part of the Spanish government. On the 18th of October, Mr. Forsyth presented a strong note to the Spanish minister, which the latter returned on the 12th of November, as “repugnant to the delicacy and attention which are peculiar to, and invariably observed in, all diplomatic communications.” Authentic copies of the grants of lands made to the duke of Alagon, &c. though requested by Mr. Forsyth, were refused—the “king's word” as to such things being sufficient, &c. We hope that Mr. Forsyth has been directed to leave Madrid—he is of no manner of use there, and we had better save the cost of the embassy.

The following papers, however, presented to the house of representatives on the 16th inst. by the chairman of the committee on foreign relations, are interesting—

The secretary of state to Mr. Lowndes.

William Lowndes, esq. chairman

of the committee of foreign relations:

Department of state, Washington, Dec. 16, 1819.

SIR—With reference to the question proposed by the committee, “whether the executive considers the Florida treaty as a subsisting one, valid according to national law, and giving the same perfect rights, and imposing the same perfect obligations, as if it had been ratified,” I have the honor to state that the president considers the treaty of the 22d of February last as obligatory upon the honor and good faith of Spain, not as a perfect treaty, (ratification being an essential formality to that,) but as a compact which Spain was bound to ratify—as an adjustment of the differences between the two nations, which the king of Spain, by his full power to his minister, had solemnly promised to approve, ratify and fulfil. This adjustment is assumed as the measure of what the United States had a right to obtain from Spain, from the signature of the treaty. The principle may be illustrated by reference to the rules of municipal law, relative to transactions between individuals. The difference between the treaty unratified and ratified, may be likened to the difference between a covenant to convey lands and the deed of conveyance itself. Upon a breach of the covenant to convey, courts of equity decree that the party who has broken his covenant shall convey, and further, shall make good to the other party all damages which he has sustained by the breach of contract.

As there is no court of chancery between nations, their differences can be settled only by agreement, or by force. The resort to force is justifiable only when justice cannot be obtained by negotiation. And the resort to force is limited to the attainment of justice. The wrong received marks the boundaries of the right to be obtained.

The king of Spain was bound to ratify the treaty;

bound by the principles of the law of nations applicable to the case; and further bound by the solemn promise in the full power. He refusing to perform this promise and obligation, the United States have a perfect right to do what a court of chancery would do in a transaction of a similar character between individuals; namely, to compel the performance of the engagement as far as compulsion can accomplish it, and to indemnify themselves for all the damages and charges incident to the necessity of using compulsion. They cannot compel the king of Spain to sign the act of ratification, and therefore cannot make the instrument a perfect treaty. But they can, and are justifiable in so doing, take that which the treaty, if perfect, would have bound Spain to deliver up to them; and they are further entitled to indemnity for all the expenses and damages which they may sustain by consequence of the refusal of Spain to ratify. The refusal to ratify gives them the same right to do justice to themselves, as the refusal to fulfil would have given them, if Spain had ratified, and then ordered the governor of Florida not to deliver over the province.

By considering the treaty as the term beyond which the United States will not look back, in their controversial relations with Spain, they not only will manifest a continued respect for the sanctity of their own engagements, but they avoid the inconvenience of re-entering upon a field of mutual complaint and crimination, so extensive, that it would be scarcely possible to decide where or when negotiation should cease, or at what point force should be stayed for satisfied right; and, by resorting to force only so far as the treaty had acknowledged their right, they offer an inducement to Spain to complete the transaction on her part, without proceeding to general hostility. But Spain must be responsible to the United States for every wrong done by her, after the signature of the treaty by her minister; and the refusal to ratify his act in the first wrong, for which they are entitled to redress.

I have the honor to be, with great respect, sir, your very humble and obedient servant.

JOHN QUINCY ADAMS.

The secretary of state to Mr. Lowndes.

William Lowndes, esq. chairman

of the committee of foreign relations,

DEPARTMENT of state,

Washington, December 16, 1819.

SIR—In answer to the question contained in your letter of the 10th inst. I have the honor to state, for the information of the committee,

1st. That information has been received by the government of the U. States, though not through a direct channel, nor in authentic form, that another motive, besides those alleged in the letter of the duke of San Fernando to Mr. Forsyth, did operate upon the Spanish cabinet, to induce the withholding of the ratification of the treaty, namely, the apprehension that the ratification would be immediately followed by the recognition by the U. States of the independence of one or more of the South American provinces. It has been suggested, that probably the most important of the explanations which the minister, to be sent by Spain, will be instructed to ask, will consist of an explicit declaration of the intentions of this government in that respect. There is reason also to believe, that the impunity with which privateers, fitted out, manned and officered, in one or more of our ports, have committed hostilities upon the Spanish com-

merce, will be alleged among the reasons for delay, and perhaps some pledge may be required of the effectual execution, against these practices, of laws which appear to exist on the statute book.

It may be proper to remark that, during the negotiation of the Florida treaty, repeated and very earnest efforts were made, both by Mr. Pizarro, at Madrid, and by Mr. Onís here, to obtain from the government of the United States, either a positive stipulation or a tacit promise, that the United States would not recognize any of the South American revolutionary governments; and that the Spanish negotiators were distinctly and explicitly informed that this government would not assent to any such engagement, either express or implied.

2. By all the information which has been obtained of the prospective views of the French and Russian governments, in relation to the course which it was by them thought probable would be pursued by the United States, it is apparent that they strongly apprehended the immediate forcible occupation of Florida by the United States, on the non-ratification by Spain of the treaty, within the stipulated time. France and Russia have both earnestly dissuaded us from that course, not by any regular official communication, but by informal friendly advice; deprecating immediate hostility, on account of its tendency to kindle a general war, which they fear would be the consequence of a war between the United States and Spain. It was alleged that, in the present state of our controversy with Spain, the opinion of all Europe on the point at issue, was in our favor against her. That by exercising patience a little longer, by waiting at least to hear the minister, who was announced as coming to give and receive explanations, we could not fail of obtaining, ultimately, without resort to force, the right to which it was admitted we were entitled. But that precipitate measures of violence might not only provoke Spain to war, but changing the state of the question between us, would exhibit us to the world as the aggressors, and would indispose against us those now the most decided in our favor.

It is not expected that, in the event of a war with Spain, any European power will openly take a part in it against the United States; but there is no doubt that the principal reliance of Spain will be upon the employment of privateers in France and England, as well as in the East and West India seas, and upon our own coast, under the Spanish flag, but manned from all nations, including citizens of our own, expatriated into Spanish subjects for the purpose.

3. The enclosed copies of letters from Mr. Fromentin, contain the most particular information possessed by the executive, with regard to the subjects mentioned in your third enquiry. In the month of September, a corps of 3,000 men arrived at the Havana from Spain, one-third of whom are said to have already fallen victims to the diseases of that climate. By advices from the Havana, as recent as the 4th of this month, we are assured that no part of this force is intended to be, in any event, employed in Florida.

4. A communication from the secretary of war, also herewith enclosed, contains the information requested by the committee upon this enquiry.

5. At the time when captain Read left Madrid, 13th Oct. Mr. Forsyth had no positive information even of the appointment of the person who is to come out as the minister. Indirectly we have been assured that he might be expected to arrive here in the course of the present month.

I am, with great respect, sir, your very obedient servant,
JOHN QUINCY ADAMS.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

London dates of the 18th February.

The king was announced as restored to health on the 10th of February, but requiring time to recover his strength.

A reconciliation had taken place between the king and the duke of Sussex, his brother.

Every body knows that the king, even George IV. is the head of the church in pursuance of his authority, he has altered the liturgy, and ordered that the people shall not pray for his wife.

The body of the old king was interred with great ceremony on the 16th of Feb. All sorts of business was suspended.

George IV had so far recovered his health as to preside in the council on the 17th of Feb. he sent a message to parliament on the loss of the nation sustained by the decease of his father, which imposed on him the necessity of summoning a new parliament within a limited period, which he should do without the least delay—to which the house of lords returned an address of condolence and congratulation.

¶ After resigning *pro forma* and being reappointed by the new king, the chief of the ministers, such as the lord chancellor and lord Castlereagh, really resigned, but were finally reinstated. They could not consent to act for king George the 4th, it seems, to bring his wife to immediate trial for crimes which, convicted of, she must be *beheaded on the scaffold!* Can this be possible?

We do not precisely recollect the offence with which the princess of Wales, now the queen of England was charged; but believe it was for incontinency before marriage. It was only a short time before her death, that the present king treated the princess Charlotte as his daughter; and it was thought by many, that he never believed that she was his child. His wife, however, is generally considered as a much injured woman.

¶ Another account says that the king only wished to divorce his wife. This is the most probable story.

The London Packet of February 16, states that it was reported the day previous, that on the death of his late majesty, an intimation was transmitted to the queen, embracing these alternatives—that she might choose a residence wherever she pleased abroad, with the style of queen—and be allowed 150,000 per annum, and a frigate to attend her commands, on condition that she remained abroad, and sought no further establishment.—Or, a regular public renewal of the delicate investigation, embracing transactions abroad, if she returned home.

We made a mistake in calling the daughter of the duke of Kent, the heir apparent of the British kingdoms—she is the probable heir. The duke of York is heir apparent, and the duke of Clarence the heir presumptive. After whom will succeed the daughter of the duke of Kent, in preference to other uncles or aunts, the duke having been the 4th son of the late king.

Sir Isaac Heard, the garter-king-at-arms, is 90 years of age.

Died in January last, aged 88, the mother of Robert Burns. Also Henry Grattan, the famous Irish orator.

It is stated in an Irish paper, that Phillips, the celebrated barrister, is about to enter into holy orders.

It is said that lord Castlereagh has been "grossly insulted by the populace at Norfolk."

Many parts of Ireland are in a dreadful state. Fearful murders and outrageous robberies abound. In Galway about 500 *ribauds* besieged the bishop in the church, which he was defending with armed men! A party of soldiers was sent to relieve his lordship, and raise the siege.

English agents are charged with having contributed to the disturbances in Ireland.

Some of the persons convicted of seditious and treasonable practices at Manchester, have been sent to the hulks at Sheerness, heavily ironed.

It is stated in the Liverpool papers, that the circulation of forged notes is more extensive than at any former period.

The act which has passed the parliament of England, for the suppression of libellous publications, takes in at a sweep all small papers, whether pamphlets, weekly journals, trial reports, or of any description which will not afford a duty of about seven cents on each. There are three ways in which it is to operate: In the first place, every printer must give security to the amount of 5000*l.* sterling, for the purity of the matter he shall print; then the publisher or printer must pay the stamp duty of 4*d.* English, on each copy; and for the second offence he is to suffer banishment. Sir V. De Crespigne gravely observed upon the bill, just as it was about to be passed, that if the noble lord Castlereagh should happen to be cut off by the hands of the law, the world would be deprived by the bill of his lordship's *dying speech and confession*.

It is stated that there were 100 destitute American seamen in London, several of whom had served several years in the British navy, supported by the American consul, from funds drawn from the United States' government. The consul had contracted for the passage of 50 of them to the United States—who have arrived.

The London Globe, of Jan. 29, says—"We understand that the lords of the treasury have given directions to allow mechanics, artificers, &c. to emigrate from Great Britain to any country and in any ship."

At Brighton, the wildest of the feathered tribe have been so punished with the frost, that they have left the woods, for warmer shelter in the habitations of men. Black-birds, starlings, larks and thrushes have been pursued by boys, at mid-day, and easily taken by the hand.

In 1683, the frosts were the most severe ever known in Europe. A greater number of poor in Germany, France, Britain and Ireland froze to death. Wild ducks and other water fowl fell dead in the streets in England. Hares and rabbits came into the town and took shelter.

Mr. Preston, late member of parliament, has shewn that a laboring man, with the miserable gains of the best weaver, namely, seven shillings a week, or eighteen pounds five shillings a year, pays 10 pounds for taxes, leaving eight pounds for the maintenance and education of his family.

A considerable excitement had been raised against gen. Devereux, as having acted without authority from the government of Venezuela, and as if he made a trade of sending men thither to perish—as most of the poor fellows already have. But his friends have succeeded in convincing the people that he had acted fairly. Why has he not joined the troops?

The queen. Certain letters from this person, dated at Marseilles, have appeared in the British papers. She speaks of her uncomfortable situation in France, whither she had proceeded to meet her legal advisers. She says—"I have been much alarm-

ed about a rumor relating to our ever beloved and lamented king's health; if, on the event of any thing happening to our revered monarch, I put my only trust in the generosity of the great nation, to protect me from the hands of my enemies. I have great pleasure to inform you, that all my debts in England and Italy have been paid."

"I intend leaving Marseilles on the 20th of this month, and shall return into Italy. In case my presence should be necessary in England, I will come by sea, and not expose myself to the possibility of being badly received by the family of the Bourbons. The present king, when in a distressed situation, was well received by my late father's court at Brunswick-palace, and every comfort was afforded to him; but such great personages have the talent to forget where they have received civilities. In a strange country, I think the daughter should at least have been kindly received, without pomp or parade, but in a friendly way; that was all I expected, as I travelled *incognito*."

"CAROLINE, princess of Wales."

Ancient customs.—On the day that the present king was to be proclaimed as George the Fourth, a procession was formed fronting the palace of Carlton-house, and proceeded for the city, when, on the cavalcade arriving at Temple-bar, they found the gates, according to ancient custom, closed. "The city marshal was sent forward to the gate, intimation having been given to the lord mayor that there was a loud knocking at the gate, and a demand of admittance from some persons outside. The marshal went to the gate, and asked, 'who knocks,' and was answered, 'the herald king at arms. I attend with a warrant to proclaim king George the fourth. Open your gates.' The city marshal answered, 'I shall inform the lord mayor that you are in waiting at the gate.' The marshal then rode back to the lord mayor, and having informed him that the herald king at arms was in waiting for admission, to proclaim George the fourth, king of England, was directed by his lordship to give the admission required, which was to be limited to the herald king at arms. The marshal upon going to the gates, said to the officers, 'open one side of the gates and admit the herald king at arms, and him alone.' The herald then rode in, supported by his guards, and was accompanied by the city marshal to the lord mayor. The herald king at arms presented the warrant.—The lord mayor immediately said, 'admit the whole procession into our city of London.'"

On the death of a king, all patents of office must be renewed within six months; and every person executing a judicial office, without such renewal, "falls within the danger of a *prenunire*." But every thing, judicial as well as executory, will proceed as heretofore, for six months, unless revoked by the present king.

The inmates of Windsor Castle have all removed from thence, it being required that the palace should be unoccupied for the space of one year after the death of the sovereign.

Gambling in high life.—Nothing has been talked of in the fashionable circles during the last two days, but the recent losses at play, sustained by a great military chief, who, carried away by that wretched propensity, is said to have been almost beggared! It is said that lord Y— has come in for 280,000*l.* of the booty on this occasion, and, to crown all, that the *fledged bird* has contrived to wing his flight to the continent. *Sic transit gloria mundi!*

Another paper distinctly says, that the "great military chief," is the Duke of Wellington, and that

those who so completely fleeced him, were the duke of Clarence (prince William Henry) and lord Yarmouth!—*Royal doings!*

Revenue. By the accounts returned to parliament, we observe that the consolidated fund on the 10th Oct. last was in arrear 10,693,009/12s. 6½d. and the deficiency of the revenue of the united Kingdom, from 5th Jan. to 10th October, 1819, as compared with the same period of 1818, was 1,067,851*l.* In this deficiency all the new taxes are included; consequently the actual deficiency, as compared with 1818, is much larger than the above amount; and the charges added to the consolidated fund, by interest of loans of 1818 and 1819, up to October 10, 1819, and for which no provision has been made, amount to 2,381,573/8s. 0½d. and if the deficiency from October to January 1820, be added to the consolidated fund, the arrear on the 5th Jan. 1820, will be about eleven millions. We apprehend a sum, unprecedented in the annals of finance, to have been lent by the bank, and for which the bank has a mortgage on the revenue accruing from 5th Jan. 1820 to 5th April, 1820, and which revenue actually has been previously assigned to the public creditor; consequently, should the bank refuse to advance nearly the whole dividends in April, they cannot be paid.

We apprehend the probable deficiency of revenue for the year 1819, as compared with 1818, deducting the amount received on account of new taxes, will be about 1,600,000*l.*

We trust the enormous arrear on the consolidated fund, amounting to eleven millions, cannot go on, and that parliament (even the present) must make some provision for its liquidation. We fear we shall be again called on for new taxes, if the reports be true, that considerably less malt, beer and spirits are made than were made last year, and if the exports and imports continue to decline. They have produced, from 5th Jan. to 11th Feb. about 150,000*l.* less than they did in the same period last year.

Morn. Chron.

Abstract of the net produce of the revenue of Great Britain, in the year ending 5th Jan. 1820:

Customs	: : :	16,319,988
Excise	: : :	19,768,318
Stamps	: : :	6,184,239
Post-office	: : :	1,475,000
Assessed taxes	: : :	6,176,529
Land taxes	: : :	1,234,325
Miscellaneous	: : :	392,732
Unappropriated war duties		166,001

Total consolidated fund	41,717,132
Annual duties to pay off bills	3,484,134
War taxes	3,015,549

Total revenue	: : :	48,156,158
Revenue to 5th Jan. 1819		48,982,960

Difference : : : 826,802

Debt of Great Britain. By an account lately laid before the house of commons, it appears that the total debt of Great Britain and Ireland, amounted to 41,181,502,362
Of which there has been redeemed, 389,637,049

Leaving total unredeemed debt,	791,867,313
The sinking fund amounted to	15,815,001
Total charge, including sinking fund	45,749,296

London, January 22.—The atmosphere at Teignmouth, on Tuesday, was literally clouded with a flight of larks, which appeared to come from the opposite coast; many were drowned in the passage,

and great numbers dropped on the shore in an exhaustable state. Some of the inhabitants amused themselves by shooting at those, whose superior strength had enabled them to keep on the wing, and 20 or 30 were frequently brought down at a shot: several hundred were caught in the evening, their weakness disabling them from flying. So great was the number shot and captured, that they were carried about for sale in large baskets, at the price of 1*s.* for seven dozen; and the bakers' ovens were the next day literally crammed with lark-pies.

Trade of Liverpool. Number of vessels reported at the custom-house for the last two years:

	1818.	1819.
From Europe	: : 807	653
British, from foreign ports	827	815
Foreign, do.	359	246
Ireland and Isle of Man,	1824	1874

The coasters amounted to 9921.

FRANCE.

There appears to be much warmth in the chamber of deputies about the election law. The ministerial party is charged with employing every species of seduction to accomplish the purposes of the court. A project for the better security of the purchasers of the national property has passed—184 to 43.

It is stated that the committee of the chamber of peers, has rejected the project of a law, further to restrain the liberty of the press.

At about the 16th of Feb. a great number of foreigners were leaving Paris with precipitation, as if a revolution was expected to take place. In consequence of the assassination of the duke of Berri, it is said that the government will propose certain strong measures, which will produce a ferment.

Paris, Feb. 24.—The inhabitants of this metropolis have been horror-struck by an atrocious assassination, perpetrated last night, at 10 o'clock, on the person of his royal highness the duke of Berri. The prince attended the duchess to her carriage in quitting the Opera-house, she was already seated, when a person passing quickly by his royal highness, encircled him with his left arm, and thrust a poignard, four inches and a half long, in his right breast up to the hilt. On feeling the wound he uttered a cry and fell senseless into the arms of his servants. The duchess herself sprang out of the carriage and drew the dagger from the duke's breast, whose only exclamation was, "*je me meurs.*" [I am dying.] The duke was conveyed into one of the saloons of the opera, and the nearest surgeon sent for. The duchess never quitted the couch of her husband. The duke of Orleans, who was at the opera, arrived immediately, accompanied by the duchess and mademoiselle. M. Pasquier came shortly afterwards, bringing with him in his carriage M. Dupuytren. The surgeon bled the prince three times, and washed the wound with warm lotions. The internal hemorrhage making an alarming progress, cupping was applied, which made his royal highness suffer so much, that he exclaimed, "*M. Dupuytren—épargnez moi—je sens ma position—je ne crois pas que cela serve a rien.*" [M. Dupuytren, spare me from further suffering—I am sensible of my fate—I do not think it will avail any thing.]

M. de Cazez was seated in one of the corners of the chamber in indescribable grief. The assassin was interrogated in the presence of M. de Cazez, and declared, boldly declared that he had meditated the murder ever since 1814, and that he had quitted Mentz for Calais, in the intention of assassinating the king on his *rentree*, but that he was too

late; that he had at length resolved on the extermination of the duke de Berri, as the youngest of the family, knowing that nature would soon dispense him from the necessity of abridging the days of the king.

M. Jacquinet de Pampelune examined him: a second dagger was found on his person.

Mademoiselle fainted twice, nor would the duchess d'Orleans leave the bed-side of the prince till the king ordered her away.

The duke de Berri died at six o'clock in the arms of his majesty.

London, Feb. 18. We have received this morning the Paris papers of Tuesday. They are, of course, painfully interesting, for they communicate a variety of facts connected with the assassination of his royal highness the duke de Berri. Among the most important of these is the undeniable one, that the atrocious crime was committed from political motives. This alarming truth was distinctly admitted, not only by the members of the two chambers, who met to address his majesty upon the mournful occasion, but it is recognized by the king himself, in the concluding sentence of his answer to the address of the deputies.—“The chamber cannot doubt,” said his majesty, “that feeling as a man, and acting as a king, I shall adopt every necessary measure to preserve the state from dangers, of which I am too forcibly forewarned by the crime of this day.” The assassin himself, indeed, according to the letter of our private correspondent, upon being interrogated, avowed that he had exterminated the duke, as the youngest of the royal family, knowing that nature would soon relieve him from the necessity of abridging the days of the king.

The duke of Berri was in his 42nd year, and after his aged father, the count d'Artois, the nearest heir of the throne. He has a daughter; but women cannot reign in France. His widow, however, is *esquinte*.

The assassin of the duke is about 30 years of age; his name is Louvel. It appears he was one of those who went and returned with Bonaparte from Elba, and has since been employed, up to the very time of the fatal deed, in the king's hunting establishment.

The prince having expressed a desire to see his infant daughter, when she was brought to him, in her cradle, at four o'clock in the morning, he kissed the babe, and gave it his benediction, pronouncing these remarkable words:—“Poor infant, I wish that you may be less unfortunate than the rest of my family.”

The duchess de Berri fell senseless when her august partner expired. She was torn from the side of her departed husband. When she recovered, she threw herself on her knees before the king, and implored him to grant her leave to return to Naples.

The assassin's name is *Pierre Joseph Louvel*. He has been examined before the ministers, when his replies were as follow:

Q. What induced you to commit this crime?—A. My opinions, my sentiments.

Q. What are they?—A. I think the Bourbons are tyrants, and the most cruel enemies of France.

Q. In that supposition, why did you attack the duke de Berri in preference to the rest?—A. Because he is the youngest prince of the royal family, and seemed to be destined to perpetuate that race, hostile to France.

Q. Do you repent your act?—A. No.

2. Had you any instigator, any accomplice?—A. None.

Yesterday, (the 14th instant,) an individual, amongst the group on the place Carousal, uttered many seditious expressions, and dared to exhibit a ferocious joy at the deed which has plunged France in mourning. The persons around him, whose sentiments of grief had induced to repair to the vicinity of the Louvre, took him into custody, and escorted him to the police-office.

In the chamber of peers, M. de Cazas appeared with an ordonnance of the king, pursuant to the penal code, constituting that chamber a tribunal for the trial of *Louvel*.—“If this crime,” said the minister, “fills our hearts with profound indignation, what must be our feelings, when the confessions of the criminal himself, (who glories in his offence) informs us, that the august individual who has fallen, was not the only one whose death was meditated, but that all those upon whom our destinies rest, to whom were forever linked our fidelity and love, were condemned; and that the most sacred life, as well as the most necessary to the country, had equally its fatal termination in the designs of the criminal.”

M. de Cazas, one of the king's ministers, is strongly suspected of having had some agency in the murder of the duke of Berri. The Paris papers have several criminalizing paragraphs against him, without particularizing charges.

Numerous patrols have paraded the streets of Paris, as if some great disturbance was immediately expected to take place—and some riotous assemblages of young men seemed to countenance the cautions observed. A member of the chamber of deputies gave notice on the 15th of Feb. that he should the next day bring an accusation against the count de Cazas, minister of the interior, as guilty of treason—[of being concerned in the assassination of the duke of Berri]—and yesterday morning, says a Paris paper of the 18th, all the family of de Cazas, stepfather, stepmother, wife and sister, prostrated themselves at his feet, who for more than 48 hours had been in a state of dejection, and supplicated him to fly from the storm that was gathering over his head. Moved by their attachment, and overcome with fear, this favorite minister went to the Tuilleries at one o'clock, and begged the king to accept of his resignation, acknowledging that this measure was *indispensable to the safety of the monarchy*.

France appears to be in a very unquiet state and we are prepared to expect great news from that country.

NAPOLEON BONAPARTE.

The IX volume of the memoirs of Napoleon, of which 2000 copies were sold in Paris in one day, when the work was seized by the police, re-printed in England, has been received at Philadelphia, and re-published there. We have not seen the work, but it is spoken of as highly interesting. It is believed to be *authentic* as written by himself, and published under the inspection of Dr. O'Meara, with a short preface. It is thought, also, that Dr. O'Meara is in possession of the preceding volumes, but that, in opinion of the author, the proper time for their publication has not arrived. The portion of the history of Napoleon embraced in this volume, is said to be full of interest. It “comprises an authentic account of the memorable events that occurred in France and Flanders during the hundred days.” In other words, it begins with the embarkation of the emperor at Elba, and ends just before his embarkation for St. Helena. “Besides the co-

pious details of the operations of the campaign of 1815, it contains military criticisms of the first order."

SPAIN.

We have a large mass of matter, containing rumors and reports, and extracts of letters, &c. &c. respecting the revolt of the Spanish army at Cadiz. The latest accounts from that city have been received via Antwerp; a journal published at which, on the 18th of Feb. says—"We have just received positive news of the occupation of Cadiz by the insurgents. A vessel which arrived at Ostend, the day before yesterday, from that port, has given us entire certainty of it—the vessel is furnished with *connaissance constitutionnelle*."

Now this 'positive news' seems to be contradicted by later Antwerp papers, which give us the following articles:

Cadiz, Feb. 1—Our mercantile paper contains two proclamations of gen. Freyre; one of them to the insurgent soldiers, calling on them to return to his standard; and the other to the inhabitants of Cadiz, praising their fidelity. Gen. F. left X-ras on the 29th ult. and is now at Port Royal, about 8 leagues from the insurgents; the two parties are in presence of each other.

Madrid, Feb. 1—The minister Lozano, and several other persons, who have had the confidence of the king, have been arrested. The captain-general of the province executed, in person, the king's orders, and has sent them into exile.

Paris, Feb. 13.—A letter from Barcelona states that a vessel, despatched from Cadiz, arrived off that port on the 29th Jan. bearing despatches to the captain-gen. Casteneros, enjoining him to acknowledge and proclaim the constitutional government. The captain-gen. refused to receive the despatches, and the vessel immediately made sail. According to the same letter, Malaga would be in the power of the insurgents.

Another account states that the insurgents have got possession of all the provisions that had been collected for the expedition.

Additional accounts. Paris, Feb. 17—Letters from Bayonne state, that an engagement has taken place in the neighborhood of Sevilla, between the royal troops and the insurgents, in which the former were completely beaten.

Feb. 18—Extract of a letter from Bayonne of Feb. 12: According to letters from Cadiz of the 1st, received this day, all is tranquil in that city; but it is the tranquility of a man in agony. You will judge whether the insurgents are not in some force when the chief of the national army has detached a division of 3000 for Algeiras, to accompany from thence to the head-quarters several members of the cortes, who had landed there. It is said there have been some skirmishes between the royal and insurgent troops, in which the latter had the advantage. The troops have left Vittoria for Gallacia, where some troubles have broke out.

Amers, Feb. 16.—*Direct from Spain*. We have received positive news of the occupation of Cadiz by the insurgents.

The gen. Freyre mentioned, is the king's officer in the south, who has been collecting troops to oppose or subdue the insurgents, entrenched on the isle of Leon, and possessed of the chief supplies laid up for the "grand expedition." But such is the nature of Cadiz, that it may be defended by 5,000 men against 500,000, except attacked by heavy ships in aid of a land force. It is very strongly walled all round—and the approach to it by land is by a sand bank, on which a road is raised that, for

between two to three miles, is less than 100 feet wide, and is commanded by numerous pieces of artillery. The genius of Napoleon's best officers, it will be recollected, was foiled here, though mortars, &c. were prepared especially to assail the city. The governor, it is said, has ordered the inhabitants to be disarmed.

Gen. Freyre's army is reported to consist of 15,000 men. Some accounts say that the insurgents have lost many by desertions—others, that they are strengthened by recruits from the royal forces and the peasantry. They wear a red cockade ornamented with a green triangle. A proclamation of *Qui-roga*, "general in chief of the national army," exhorts them to union and discipline, saying that "victory awaits our banners, and in her train, the glory and reward which the country will lavishly bestow." Their flag is the Spanish, to which is added two sabres crossed, above the escutcheon.

A Paris paper says—"The greatest part of the letters from Spain, received at Bordeaux, from the 6th to the 7th, (of Feb.) have on the head of them "liberty, constitution."

We must wait further accounts. It is impossible to determine what is the actual state of things in Spain. But something must have happened before this to fix the character of transactions therein.

NETHERLANDS.

We learn from the Hague, under date of the 28th of Jan. that in the Beluwe, seventy two villages were under water! In many places all the houses with their inhabitants had been swept away! The king has given 100,000 florins to assist those who have suffered by the inundation, and personally visited sundry places in distress. The dykes have given away, and large fields are covered with masses of ice.

RUSSIA.

The force of the Russian army, last year, made a total of 1,038,000 men, including 47,088 cannon.

Imperial birth-day present.—The following decree was issued by the emperor of Russia on his last birth day. It would doubtless afford pleasure to their respective subjects, if all the monarchs in Europe were able and willing to follow so noble an example:—

St. Petersburg, Dec. 29.

On occasion of the birth-day of his majesty the emperor, the following most important ukase has been published, by which all the war taxes imposed in the year 1812 are abolished. This law is to be in force from the 1st January, 1820. The benefits which his majesty incessantly confers upon his subjects do not a little contribute to increase their attachment to him:—

"From the report which has been laid before us by our minister of finance upon the revenue and expenditure of the year 1820, we have recognized with the most lively satisfaction the possibility of gratifying the wish which we have constantly had at heart, of lessening the burden of the taxes, which, to our great regret, the urgent necessity of providing for the extraordinary calls of the state for a time obliged us to increase. In consequence of the blessings of peace, which Divine Providence has given us, the sources of public revenue flow more abundantly, and we have been able to apply annually 60,000,000 to the consolidation of the public credit, to increase the pay of our brave army, and, after providing for all the public expenses of the next year, we are now able to give our faithful subjects a new proof of our eagerness to lessen their burdens, and to promote the means by which their welfare may be increased by the prosperity of

the various branches of agriculture and industry. We therefore order, that from the first (15th) January of the ensuing year, 1820, the imposts shall cease which were imposed by the decree of the 11th (23d) February, 1812, on the revenue of all real property arising from feudal services (redevances) wood-cutting, rent of land or houses, profits of manufactures, and other establishments; and that from the date above-mentioned, the farther levy of them shall cease, and the owners be no longer bound to give a statement of their income as before prescribed. At the same time that we abolish this tax on the real property of all classes without exception, we wish and hope that this relief may contribute to the increase of the general prosperity, and consequently to the advantage of the state.

[Signed]

ALEXANDER."

ARABIA.

A correspondent of a London paper states, that in travelling thro' Syria, he received much politeness from lady Hester Stanhope: she resides at Abra, six miles above Sidon, is styled "princess," and has great influence. She enjoys good health, and has no intention of returning to England. Her stud of horses are said to be the most beautiful in the country.

AFRICA.

London, Jan. 3.—Accounts from Sierra Leone, dated Sept. 23, state that the Spanish commissioners were so ill from the climate, that no proceedings could take place on the vessels of that nation sent in—and Portugal having appointed none, the commission, as far as relates to the slave traders of that nation, remains a nullity to this very moment.—The Pheasant and Morgiana had sent in two vessels. The colony had been unhealthy: many lives were lost.

"Wahabees.—Though we find that the Wahabee chief Abdallah, and some of his officers, were beheaded at Constantinople in December last, and that another victory had also been gained over them, in which the chieftain who succeeded Abdallah was slain, yet we find their measures still vigorous and their courage still unshaken. The daughter of a former chief, has now the supreme command, and as she is a woman of extraordinary talents, she has infused into her followers an enthusiasm that will again lead them to victory."

SOUTH AMERICA.

Com. Stafford has succeeded admiral Brion as commander of the fleet at Margaritta. He is a bold, active and intelligent officer, and efficiency is expected of him. Of the 1500 Irish troops which arrived at this island, only 500 effective remain. They are to proceed to co-operate with Bolivar, "the Washington of the south," who, with about 8000 men, was said to be advancing directly on the city of Caracas.

CUBA.

Certain troops were recently sent from Havana to quell an insurrection of the black population at St. Jago-de-Cuba.

CANADA.

The following extract from the Kingston Chronicle, may shew the state of trade in Canada, as well as how far it is profitable to the mother country. Comment is unnecessary.

Mr. Editor—In your last paper you gave us the value of the imports and exports at the port of Quebec for the past year 1819. The former you estimate at fourteen or fifteen hundred thousand pounds—the latter at seven hundred and thirty six thousand pounds currency. The difference must be remitted in bills of exchange, and gives a very good

average of the expenditure of government in these provinces. What the situation of the Canadas would be without this increase sum spent by the army and navy, which during the last year was not less than 700,000*l* sterling, your readers may easily perceive by looking at the deplorable condition of New York, the great emporium of the United States."

Supreme Court of the U. States.

Thursday, March 2.—The argument of the case of DOGHERTY against BLAKE, was continued by the ATTORNEY GENERAL and Mr. KELLY, for the defendant in error, and by Mr. JONES, for the plaintiff.

In the opinions delivered by Mr. Chief Justice MARSHALL, Mr. Justice JOHNSON, and Mr. Justice STORY, in the several cases of piracy before the court, the following points are determined:

1st. That the act of congress, 1790, for the punishment of certain crimes against the United States, is not repealed by the recent act of the 3d March, 1819, entitled "An act to protect the commerce of the United States, and punish the crime of piracy."

2. That it is not necessary that an indictment, under the act of 1790, should charge the prisoner as a citizen of the United States, nor the crime as committed on board an American vessel; if it charges it to have been committed from on board an American vessel, by a mariner sailing on board an American vessel.

3d. That it is competent for the jury to find that the piracy was committed on the high seas, upon proof that it was committed in an open roadstead at the island of Bonavista.

4th. That the act of 1790, extends to a piracy committed by the crew of a foreign vessel, on a vessel exclusively owned by persons not citizens of the United States, in a case where the persons assumed the character of pirates, whereby they lost all claim to national character or protection.

5th. That a citizen of the United States, fitting out a vessel in a port of the United States, really to cruise against a power at peace with the U. States, is not protected by a commission from a belligerent from punishment for any offence committed by him against vessels of the United States.

6th. It is competent for the jury to find that a vessel within a marine league of the shore, at anchor in an open roadstead, where vessels only ride under shelter of the land, at a season when the course of the winds is invariably upon the high seas.

7th. That the words in the 8th section of the act of 1790, "out of the jurisdiction of any particular state must be construed to mean out of the jurisdiction of any particular state of the U. States."

8th. That the 5th section of the act of 1819, furnishes a sufficient definition of piracy, and that it is defined, "*robbery on the high seas.*"

9th. That the national character of a vessel is a fact which the jury may find upon such evidence as will satisfy their minds, without producing the register, or proof of its having been seen on board.

10th. That a murder, committed by a foreigner on a foreigner, on board a foreign vessel, is not punishable under the 8th section of the act of 1790.

11th. In the case of the *United States* against *Smith*, tried before the chief justice, that the offence charged in the indictment, and found by the jury, amounts to the crime of piracy, as defined by the law of nations, so as to be punishable under the act of 1819.

12th. That a reference to the law of nations, as contained in the act of 1819, to define the crime of piracy, is such a definition as the constitution of the United States requires.

13th. In the case of the *United States* against *Klinck*, that Aury's commission does not exempt the prisoner from the charge of piracy.

That, although the fraud practised on the *Dane* may not, in itself, support the charge of piracy, the whole transaction, as stated in the indictment, and in the facts stated in the record, does amount to piracy.

That the prisoner is punishable under the provisions of the 8th section of the act 1790.

And that the act of 1790 does extend to all persons, on board all vessels which throw off their national character by cruising piratically, and committing piracy on other vessels.

IMPORTANT DECISION.

The following extract of a letter from Washington, appears in the *Trenton True American*. It will be regarded in this state as settling a question of much importance, which has occasioned much litigation and some angry newspaper discussion.

"The supreme court of the United States has lately made a decision, which is justly deemed of national importance. We believe the following is a correct, though brief history of the case: During the late war, many militiamen of the commonwealth of Pennsylvania, neglected or refused to perform their tours of military duty, when regularly drafted agreeably to the laws of the United States. The governor of the commonwealth ordered courts martial to be held for the trial of these delinquents, and these courts sentenced them to pay the fines prescribed by law. The marshal and his deputies proceeded to collect the fines; but many believing that the courts had been illegally constituted, one Houston, of Lancaster county, brought his action in the Common Pleas, against deputy marshal Moore for damages sustained by the seizure and sale of his goods to make the fine as aforesaid, and recovered. The deputy marshal brought the case up by writ of error to the Supreme court of Pennsylvania for that district, which reversed the judgment below. The case was next removed by writ of error, to the Supreme court of the United States; which, after solemn argument, affirmed the judgment of the Supreme court of Pennsylvania."—This not only puts the question at rest as it regards the fines levied and collected in that state, but settles the principle according to the views and wishes of the friends of the government.

CONGRESS.

IN THE SENATE.

The following were the yeas and nays in the senate, on the 16th inst. on the motion made indefinitely to postpone the consideration of the bankrupt law.

For postponement.—Messrs. Eaton, Johnson of Ky. King of Alab. Logan, Macon, Morrill, Noble, Pleasants, Ruggles, Smith, Taylor, Walker of Alab. Williams of Ten. Wilson—14.

Against postponement.—Messrs. Brown, Rurrill, Dana, Dickerson, Edwards, Elliot, Gaillard, Hunter, Johnson of Lou. King of N. Y. Lanman, Leake, Lloyd, Lowrie, Mellen, Otis, Parrott, Pinkney, Sanford, Stokes, Thomas, Tichenor, Trimble, Van Dyke, Williams of Mis.—25.

March 17. This day was occupied on the bankrupt bill, and considerable progress was made in its

details—shewing a determination to pass a bill on the subject.

The following message was received from the president of the U. States, by Mr. J. J. Monroe:

To the senate of the United States.

It being stipulated, by the 4th article of the articles of agreement and cession, entered into on the 24th of April, 1802, with the state of Georgia, that the United States should, at their own expense, extinguish, for the use of that state, as soon as might be done, on reasonable terms, the Indian title to all lands within its limits; and the legislature of Georgia being desirous of making a further acquisition of said lands at this time, presuming that it may be done on reasonable terms; and it being also represented, that property of considerable value which had been taken by the Creek and Cherokee Indians from citizens of Georgia, the restoration of which had been provided for by different treaties, but which has never been made, it is proposed to hold a treaty with those nations, and more particularly with the Creeks, in the course of this summer, for the attainment of these objects. I submit the subject for the consideration of congress, that a sum, adequate to the expense attending such treaty, may be appropriated, should congress deem it expedient.

JAMES MONROE.

Washington, March 17th, 1820.

A message was also received from the president of the United States, transmitting a report of the secretary of the treasury, accompanied by statements of the annual expenditures made in the construction of the Cumberland road, from the year 1806 to 1820.

[By the report thus transmitted, it appears that this noble undertaking, the *Cumberland road*, has cost, up to this date, 1,514,281 dollars; and that the completion of the contract now entered into with J. Kinkaid & Co. for completely finishing said road, requires a further expenditure of 141,589 dollars. So that the whole cost of the road will have been 1,655,870 dollars.]

Mr. Ruggles, according to notice, having obtained leave, introduced a bill granting to the state of Ohio the pre-emption right to certain sections of land.

Mr. Otis, laid on the table the following resolution:

Resolved, That the president of the senate, and the speaker of the house, do adjourn their respective houses on Monday the 10th day of April next. And the senate adjourned to Monday.

March 20. The president communicated a letter from the secretary of the treasury, transmitting, in obedience to a resolution of the 13th inst. a statement of the lands sold, the amount remaining unsold, &c. in the states of Ohio, Indiana and Illinois.

The engrossed bill to make compensation for horses and other property lost, captured or destroyed in the Seminole war, was read a third time.

Considerable debate followed—finally the bill was passed and sent to the house of representatives.

The following message was received from the president of the United States, by Mr. J. J. Monroe.

To the senate of the United States.

In compliance with a resolution of the senate, of the 16th of February, 1820, requesting me to cause to be laid before it "abstracts of the bonds, or other securities, given under the laws of the U. States, by the collectors of the customs, receivers of public monies for lands, and registers for public lands; paymasters in the army and pursers in the navy, who are now in office, or who have heretofore been

in office, and whose accounts remain unsettled: together with a statement of such other facts as may tend to shew the expediency or in expediency of so far altering the laws respecting such officers, that they may hereafter be appointed for limited periods, subject to removal as heretofore." I transmit to the senate a report from the secretary of the treasury, which, with the documents accompanying it, will afford all the information required.

JAMES MONROE.

Washington, March 20, 1820.

The message was read, and, with the documents, ordered to be printed.

The resolution offered by Mr. Otis, on Friday, fixing a day for the adjournment of congress, was on his motion, postponed to Thursday.

The senate then resumed the consideration of the bankrupt bill, and made some further progress on it in committee of the whole. After which,

The senate adjourned.

March 21. The following resolution submitted yesterday by Mr. Burrill was taken up for consideration; and after some remarks agreed to:

Resolved, That the president of the United States be requested to lay before the senate, copies of the correspondence between the ministers or other agents of the United States, and the ministers or government of Sweden, relative to seizures, sequestrations, or confiscations of the ships or other property of citizens of the United States, under the authority of Sweden or of France, while the French were in possession of Pomerania or other territories of Sweden; or of so much of said correspondence as may, in the opinion of the president, be communicated without injury to the public interest.

The senate resumed the consideration of the rule proposed some days ago by Mr. King, of New York, prescribing what persons shall be admitted on the floor of the senate, and after some discussion of it, and of sundry amendments offered—the proposition was postponed to a day beyond the session.

Mr. Stokes laid on the table the following resolution:

Resolved, That the committee on the public buildings be instructed to enquire into the expediency of enlarging the senate chamber, so as to render them suitable for the comfortable and convenient accommodation of such persons as may think proper to attend the deliberations of the senate.

The senate again resumed the consideration of the bankrupt bill—after some time spent therein, the bill was postponed until to-morrow.

The senate then took up the bill for the better organization of the treasury, (for the appointment of a solicitor, and for the prompt recovery of debts due the government;) and

After being some time occupied in executive business;

The senate adjourned.

March 22.—The president communicated to the senate the following report from the secretary of state.

The secretary of state, to whom, on the 6th of February, 1819, by a resolution of the senate, the memorial of James Smith, and others, was referred, to consider and report thereon, has the honor of submitting the following report.

The claims of the memorialists belong to a class which, among many others, has been repeatedly, and very earnestly, pressed upon the attention of the government of France. Copies are herewith submitted to the senate of the correspondence between the minister of the United States at Paris, and the minister of foreign relations, upon this subject,

before and since the reference of the memorial to this department. From the grounds of resistance to the claims most recently assumed on the part of the French government, it would appear, that any relief which the memorialists may be entitled to expect, can result only from measures within the exclusive competency of the legislative authority.

JOHN QUINCY ADAMS.

Department of State, Washington, March 20.

After some other business—the senate, in committee of the whole, resumed the consideration of the bankrupt bill—some proceedings thereon were had—and then, it was postponed till to-morrow.

Mr. Sanford, from the committee on finance, to whom was referred the military appropriation bill from the house of representatives, reported the same with sundry amendments, (the principal one, to increase the appropriation for the quarter-master general's department [Missouri expedition] to 500,000 dollars), which amendments were read, and, together with sundry documents accompanying the report, ordered to be printed.

The rest of the day was spent on the bill supplementary to the several acts for the adjustment of land titles in Louisiana, Missouri and Arkansas. Not decided upon.

HOUSE OF REPRESENTATIVES.

Tuesday March 17. The bills from the senate for the relief of F. Goetz, and G. Godfroy, being reported on by the committee of claims, were indefinitely postponed.

Mr. Robinson submitted the following joint resolution for consideration:

Resolved, by the senate and house of representatives, &c. That the consent of congress be, and the same is hereby given to a contract or agreement made and concluded by and between the states of Kentucky and Tennessee, at Frankfort, in Kentucky, on the 2d day of February 1820, to adjust and establish the boundary line between them.

The resolve was read twice and ordered to lie on the table.

The engrossed bill to authorize the secretary of state, to cause the laws of the Michigan territory to be printed and distributed, was read a third time, passed, and sent to the senate.

The house then again resolved itself into a committee of the whole, Mr. Beecher in the chair, on the appropriation bill for defraying the civil expenses of the government.

Considerable progress was made in the bill, and finally, it was reported to the house. The question to concur in filling up the blank with 100,000 on account of the great Cumberland road again occurring was agreed to—90 to 66.

Some objection was made, to paying col. Trumbull 6000 dollars on account of certain paintings, because the 2nd is not yet delivered, and therefore as not being due. But the appropriation was agreed to—76 to 54.

Saturday, March 18. The bill from the senate to suspend, for a further time, the sale or forfeiture of lands for failure of completing the payments thereon, was laid on the table—ayes 66, noes 52.

Mr. Anderson, from the committee on the public lands, to whom had been referred the bill to change the mode of disposing of the public lands, (from credit to cash, &c.) reported the same with amendments.

[The amendments propose to strike out all that part of the bill which change the sales from credit to cash payments.]

After a short discussion, as to the proper dispo-

sition of the bill, it was committed to a committee of the whole house.

The engrossed bill making appropriations for the support of government for the year 1820, was read the third time, passed, and sent to the senate for concurrence.

The bill making appropriations for the centre building of the capitol, and for other purposes, passed through a committee of the whole, Mr. Beecher in the chair; the sums inserted by the committee, (111,789 dollars, for the centre building,) agreed to by the house, and the bill was ordered to be engrossed for a third reading.

The house then resolved itself into a committee of the whole, Mr. Beecher in the chair, on the bill to amend the act of March 18, 1818, providing pensions for persons engaged in the land and naval service in the revolutionary war.

[The remainder of the day was spent on this matter. There have been great abuses of the law, which a resolution is manifested to correct; as well as to limit its duration to certain periods, and to lessen the amounts now paid to officers, after certain times: so that no one shall be entitled to a pension for life, or at a higher rate than 72 dollars per annum, who did not serve three years, &c. Mr. Barbour moved a substitute for the bill which was to repeal the law, as to all those who had served for a term less than three years, after they shall have received their pensions for two years, and to continue pensions for life, to all those who had served three years and upwards, to officers and soldiers an equal sum, after they also shall have received two years pension according to the act of 1818. The proposition was opposed by Mr. Culpepper and Anderson, of Ky.—but the committee rose while it was under consideration and reported progress, &c.

And the house adjourned.

Monday, March 20. A bill was reported from the committee of naval affairs, the object of which is so to amend the act for the government of the navy, as to authorize an extension of the present term of enlistment of seamen.

Mr. Pindall reported a bill, the object of which is to amend the acts authorizing the publication of the laws of the United States, so as to confine the publication of them in 25 newspapers in the states, and one in this district, and to abolish the compensation now allowed by law for that service.

These bills were twice read and committed.

Mr. Storrs, from the committee on roads and canals, reported a bill to authorize the erection of toll houses, gates and turnpikes on the national road, leading from Cumberland in the state of Maryland, to the river Ohio, and fixing the rate of toll thereon. The gates are not to exceed 12, nor to be less than 6, and to be erected at a distance, of not less than 10 miles from each other. The toll at each gate is proposed to be as follows:—for each score of sheep or swine, six cents; for each score of cattle, twelve cents; for every charriot, coach, coachee, or phaeton, twenty-five cents; for every stage, wagon, or other four-wheeled carriage for the conveyance of passengers, drawn by four horses, twelve cents; for every cart, sleigh, or sled, drawn by two oxen or horses, six cents; and for every additional horse or ox two cents; for every wagon drawn by two horses, eight cents; and for every additional horse, four cents; for each person and horse six cents, for each chaise, sulky, or one horse wagon, six cents.

This bill having been read, and its second reading being in due course proposed—

Mr. Barbour moved to reject the bill.

This motion gave rise to a short debate, in the

course of which it was supported by Mr. Barbour and Mr. Randolph, and opposed by Mr. Hardin, Mr. Livermore, and Mr. Ballard Smith.

Finally, the question on the motion to reject the bill was then put in this form—"Shall this bill be rejected?" on which the votes were as follows:

YEAS.—Messrs. Adams, Alexander, Allen, of N. Y. Archer, of Va. Ball, Barbour, Bayly, Bryan, Burwell, Clagett, Cobb, Cook, Earle, Edwards, of Penn. Edwards, of N. C. Floyd, Folger, Foot, Forrest, Hall, of North Carolina, Holmes, Hooks, Johnson, Kent, McCoy, McCreary, Meigs, Neale, Nelson, of Va. Parker, of Va. Phelps, Randolph, Rhea, Richards, Sampson, Settle, Shaw, A. Smyth, of Va. Smith of N. C. Strather, Swearingen, Tucker, of Va. Tucker, of S. C. Walker, Warfield, Williams, of Va. Williams of N. C.—47.

NAYS.—Messrs. Abbott, Allen of Tenn. Baldwin, Bateman, Beecher, Bloomfield, Boden, Brush, Butler, of N. H. Butler, of Lon. Campbell, Cannon, Case, Clark, Cocke, Crafts, Crawford, Crow H, Culpepper, Cashman, Cuthbert, Darlington, Davidson, Dennison, Dewitt, Dickinson, Downe, Eddy, Edwards, of Con. Fay, Fisher, Ford, Fuller, Fullerton, Gross, N. Y. Gross, of Penn. Hackley, Hall, of N. Y. Hall, of Del. Hardin, Hazard, Hendricks, Herrick, Hisham, Hill, Hostetter, Jones, of Tenn. Kendall, Kingsley, Kinsley, Lathrop, Little, Lincoln, Lums, Livermore, Lowndes, Lyman, Macley, McLane, of Del. McLean, of Ky. Mallary, Marchand, Mason, Meach, Mercer, Metcalf, R. Moore, S. Moore, Monell, Morton, Murray, Nelson, of Mass. Newton, Parker, of Mass. Patterson, Philson, Pindall, Pitcher, Plumer, Rankin, Reed, Rich, Richmond Ringgold, Rogers, Ross, Russ, Silsbee, Simkins, Sloan, Stocumb, Smith, of N. J. Smith, of Md. B. Smith, of Va. Southard, Stevens, Storrs, Street, Strong, of Vt. Strong, of N. Y. Tarr, Taylor, Terrill, Tomlinson, Tompkins, Tracy, Trimble, Upham, Wallace, Wendover, Wood.—111.

So the house refused to reject the bill; and it was twice read, and referred to a committee of whole.

The engrossed bill appropriating money for continuing the centre building of the capitol was read a third time, passed, without debate or division, and sent to the senate.

The remainder of the day was occupied in debating the bill for amending the pension law, and the proposition of Mr. Barbour to substitute for it a different bill. Messrs. *Rid, Hill, Fuller, Trimble, Barbour, Livermore, and Bloomfield*, engaged in the bill: among whom Mr. Hill, Mr. Fuller, and Mr. Livermore, earnestly opposed any invasion of the present pension law, though willing to make any necessary amendment to its details. Mr. Fuller spoke on the subject considerably at large.

Before coming to any decision on the subject, the committee rose and reported progress—and The house adjourned.

Tuesday, March 21. Mr. Meigs from the committee made a report on the public buildings—(which is long and not of immediate interest and was postponed until next week.) It is in favor of completing the capitol as fast as it can be conveniently done.

Mr. Storrs, from the committee on roads and canals to whom the subject was referred, made a report, of which the following is the resolution recommended by the committee for the adoption of the house.

"Resolved, That the committee on roads and canals be discharged from the further consideration of the communication to this house from the secretary of the department of the navy, on the 18th day of January last, and the petition of the inhabitants of the borough of Erie, in the state of Pennsylvania, relative to the improvement of the harbor of Erie."

The house concurred in the report.

A like report was made and concurred in, with respect to several petitions praying the aid of congress in the construction and improvement of certain roads.

Mr. Southard, from the committee to whom had been referred the senate's bill "for the better regulation of the trade with the Indian tribes," reported the same without amendment; and it was referred to a committee of the whole.

The house then again resolved itself into a com-

mittee of the whole, Mr. Beecher in the chair, on the bill to amend the revolutionary pension law.

Various amendments were offered, proposing all sorts of modifications of the present law; all which were successively rejected.

Until at length a motion was made to strike out the whole of the bill except the enacting clause, so as to leave a blank to be filled with anything the house should chuse.

This motion was agreed to (at about the usual hour of adjournment) by a vote of 75 to 41.

The committee then rose, reported progress, and the chairman asked the usual leave to sit again.

Before it was granted, however, a motion was made to adjourn, and was carried.

[As to the bill respecting revolutionary pensions the *National Intelligencer* observes—This subject has occupied much of the time of the house of representatives for several days past. It appears probable, at present, that the pension law will not be touched at all; not that it is not acknowledged that frauds more or less numerous may have been committed under it; but that it is supposed no precaution will prevent them. The bill reported with that view is now amended so as to be completely a blank; and it is doubtful whether that blank will be filled with anything or not.]

Wednesday, March 22. Mr. Baldwin, from the committee on manufactures, reported "a bill to regulate the duties on imports, and for other purposes."

The bill was twice read and committed.

[Of this bill, the *National Intelligencer*, observes—"A bill was reported in the house of representatives yesterday, embracing provisions of great importance to the commercial, as well as to the manufacturing interests: It proposes a revision of the tariff of duties on imports, to take place on the 30th June next. The bill is of too great length to allow of its immediate publication; but we gather, generally, from a hasty glance at it, that it proposes a small increase of the present duties, and, on the present rate of duties, on coarse woollens and cottons, an increase at the rate of from twenty-five to thirty three and a third per cent.]

The Speaker laid before the house a letter from the secretary of the treasury, transmitting the annual statement of imports into the United States, (for the year 1818.)

The rest of the time of this day's sitting was occupied with the bill to amend the revolutionary pension law. It finally assumed a shape in which it will probably pass—the main provision is, that no person shall hereafter receive a pension, who has an income equal to \$100 per annum, or an estate of the value of \$200. Means to ascertain the facts are laid down.

THURSDAY'S PROCEEDINGS.

The senate was occupied very busily this day on various matters—the proceedings shall be noticed hereafter—the bill, supplementary to the several acts about land claims in Louisiana, (as purchased by the U. S.) was ordered to be engrossed for a third reading.

In the house of representatives, as soon as the sitting was opened, Mr. Randolph rose, and, after some feeling remarks, expressive of the grief with which he was filled, by the recent melancholy occurrence of the death of that distinguished naval officer, commodore Decatur, which he rather alluded to, than announced, called the attention of the house to sundry resolutions, the import of which was, that, when it adjourns, it will adjourn to

meet again on Saturday; that it will attend the funeral of the late com. *Decatur* on to-morrow; and that its members will, in respect to the memory of the deceased, wear crape on the left arm, for the remainder of this session.

A division of the resolutions being requested, Mr. R. said he would withdraw them, if there was any objection.

Mr. Taylor of New York said that, in opposing this motion, he felt it due to himself, to state that, in respect for the memory and public services of the deceased, he yielded to no member of this house—not even to the honorable gentleman from Virginia. But it is with the most painful regret (says Mr. T.) I am constrained to say, that he died in the violation of the laws of God and his country. I therefore cannot consent, however deeply his loss is deplored by this house, in common with the nation, to vote the distinguished and unusual honors proposed by these resolutions.

Mr. Randolph then withdrew the resolves he had offered; and moved that the house do now adjourn.

The question on this motion was taken, by yeas and nays, and it was decided in the negative by 83 votes to 50.

Nothing else transacted this day which it is needful to detain the press for.

CHRONICLE.

Com. Decatur. An account of his duel with com. Barron is inserted in the first page of this number. His remains were to be interred last evening, (Friday) with the most respectful forms. All the public officers at Washington, including the president of the United States, were to join the procession, with the foreign ministers, &c. his pall to be supported by naval officers, with the exception of gens. *Brown* and *Jessup*. Particulars hereafter. Had the honors proposed in the house of representatives ever been granted except to a member of congress, it is thought they would have been bestowed on the memory of the gallant and much esteemed *Decatur*.

The Supreme court of the United States adjourned *sine die*, on Friday the 17th inst.

Gen. Kosciusko, by his will, placed in the hands of Mr. Jefferson, a sum exceeding twenty thousand dollars, to be laid out in the purchase of young female slaves who were to be educated and emancipated. The laws of Va. have prevented the will of Kosciusko from being carried into effect.

Married, on Thursday evening, the 9th instant, Samuel L. Gouverneur, esq. of N. Y. to Miss Maria Hester Monroe, youngest daughter of the president of the United States.

The *United States schooner Hornet* has arrived at Norfolk. The seamen impressed at Havana was not given up, as stated in the papers—but we have no further particulars.

The Congress frigate, capt. Hengley, arrived at Lintin, China River, on the 2nd Nov. last, from Rio Janeiro. She had experienced very boisterous weather in the China seas. Some of her crew were a little indisposed in consequence of bad water, but on the recovery. The officers were all well.

Lieut. Percival, of the United States frigate *Macedonian*, arrived at Norfolk a few days ago, by way of Havana. He left the frigate at Panama on the 9th of Jan. and crossed over land to Chagre. Captain Downes and crew all well.

Commodore Macedonough. We learn, with great pleasure, that capt. *Macedonough* has been appointed to command the line of battle ship now building

at New-York, when she shall be in a state to receive her commander. Capt. Macdonough having become sensible that the course pursued by the court martial, of which he was a member, and which led to the officers composing said court being ordered home, was incorrect, with that magnanimity which bespeaks a great mind, acknowledged his error to the chief of the navy department, who has taken the earliest opportunity of restoring this gallant officer to the service. This appointment will of course afford additional pleasure, when it is recollected that it is made without impairing that subordination, which is so essential to our naval service.—*Nat. Int.*

Maine. The people are busily preparing to suit themselves to their new condition. Gen. King is the only candidate named for governor.

New York. A committee of the senate of New York has made a long report on the subject of Mr. Tompkins' accounts. The conduct of the comptroller is severely condemned—they say that "he disregarded the authority of the legislature, and acted in disobedience to its laws." A balance of \$11,800 is reported in favor of D. D. Tompkins. It appears by a correspondence published, that Mr. T. is willing to meet the arrangement, and even, in addition to his "other sacrifices," to give up the sum so awarded in his favor, that a final adjustment may be made. The committee of ways and means, of the house of assembly, have made an elaborate report on the same subject, and fully justify the comptroller in all his proceedings in relation thereto.

Pirates. We are informed from good authority that nearly thirty convicts in the United States are at this time under sentence of death for piracy—a number of whom will probably undergo the awful sentence of the law.—*Wash. City Gaz.*

National Currency.

REPORT OF THE SECRETARY OF THE TREASURY.

[Concluded from page 45.]

As the measures which have been adopted by England, and several of the continental states of Europe, for returning to a metallic currency advance, the interests of those states, which have adhered to it, will be affected. Whilst gold and silver were, in the former states, dispensed with as coin, they were sought for merely as commodities. The quantity necessary for their manufactures was readily obtained, without deranging, in any serious degree, the currency of other states.

It has been estimated, that from eighty to one hundred and twenty millions of dollars were necessary to England. Taking the mean sum, and admitting that the other European states engaged in the same effort, require an equal amount, a supply of two hundred millions of dollars is necessary.

The commencement of the measures necessary to obtain that portion of this sum which cannot, in a short time, be drawn from the annual product of the mines, may not be immediately felt by other states. But, when these measures approach their completion; when a large quantity of gold and silver is necessarily withdrawn from the currency of other states, the price of specie will, in the latter appreciate, and the price of all commodities will decline. All the evils incident to an appreciating currency will be felt in those states, though in a less degree than where a paper currency had been exclusively adopted. The example presented by the return to a metallic currency in France, even in the midst of a revolution, which probably had

some influence upon the decision of this question by other states, is believed to be, in no degree analogous in its principal circumstances. At the precise period that this change was operating, England, and the principal continental states, abandoned the precious metals as currency. The supply demanded by France, was not only at hand, but was seeking the very employment which that change had made indispensable. At the same time, immense sums were brought into France by her conquering armies, which, being raised by military contributions laid, in some degree, rendered a resort to paper currency, in the invaded states, necessary. At present, the civilized world is at peace, and each state is endeavoring, by systematic measures, to secure to itself a just participation of the benefits of equal and reciprocal commerce. The states which are now attempting to return to a metallic currency, will find much greater difficulty in effecting this change, than was experienced by France.

The demand for gold and silver, as the medium of exchange, cannot be supplied until the price of all exchangeable articles has fallen in proportion to the reduction of the currency, which the abandonment of paper must produce. It is even probable, as has been before suggested, that after the price of commodities and of labor shall have fallen, so as to bear a just proportion to the currency which is to be employed in effecting the necessary exchanges, that the currency will continue gradually to appreciate. This, however, is matter of conjecture. It depends entirely upon the fact, whether the annual produce of the mines, after furnishing the quantity necessary for the consumption of the precious metals in manufactures, will be equal to the increased demand for currency, arising from the increase of exchangeable commodities throughout the world. The great advancement in the arts and sciences—the rapid improvement in machinery, which characterise the present age, acting through a long succession of ages, cannot fail to augment, in an astonishing degree, all the products of human industry.

It may, however, be urged, that the same improvements will augment, in an equal degree, the product of the mines; and that, therefore, the quantity of the precious metals in the world will continue to bear, to other commodities, the same relation which they may assume when the return to a metallic currency is effected. This may be true; but, so far as it depends upon the general principle, that the supply of all articles is regulated by the demand, there is reasonable ground of doubt. The maxim, although good as a general rule, admits of exceptions. A demand beyond the supply, increases the price of the thing demanded, and invites to the investment of additional capital in its production. But, when the article demanded is to be produced from a material, which no investment of capital—no application of skill can augment, the only effect of such investment and application, is to produce the most which the material has the capacity to furnish. Such, in fact, is the case of gold and silver. The material from which they are made, is limited in quantity, which neither capital nor skill can augment. It is probable that the improvements in machinery, and the art of refining, will be counterbalanced by the exhaustion of the mines, or the difficulty of working them, arising from the depth and extent of their excavations. It is therefore possible, that the demand for the precious metals, for currency and for manufactures, may exceed the production of the mines.

Previously to entering upon the immediate discussion of the practicability of substituting a paper for a metallic currency, it is proper to observe, that gold and silver derive part of the uniformity of value which has been ascribed to them, from the general consent of civilized states to employ them as the standard of value. Should they cease to be used for that purpose, they would become more variable in their value, and would be regulated, like all other articles, by the demand for them, compared with the supply in any given market. It is presumed that, if they should cease to be employed as the standard of value by several states, their uniformity in value would be in some degree affected, not only in those states where they were considered as mere commodities, but in those where still employed as currency. Whenever, as commodities, they should rise in value, a drain would take place from the currency of other states; and when they should fall in value, as commodities, they should seek employment as currency, and render, in some degree redundant, the currency of the states where they are employed. After making due allowance for the depreciation of bank notes in England, from the time of the bank restriction, in 1797, to the present period, the price of gold and silver in that country is believed to have varied more than at any former period. Their price, when compared with bank notes, from the year 1797 to 1808, showed but a slight degree of depreciation; considerably less, in all human probability, than actually existed. During that interval, the demand for those metals was limited in England to the sum required for manufactures. It is highly probable, that if the quantity of the paper circulation had been reduced to the amount of the currency in circulation at the time, or for one year before the restriction, the price of bullion would have been below the mint price. On the contrary, in the year 1808, when the employment of a British force in Spain created a sudden demand for specie, the depreciation of bank notes, indicated by the price of bullion, was probably greater than that which really existed.—

In the year 1814, after the treaty of Paris, the price of bullion, estimated in bank paper, was not above the mint price; whilst, in the succeeding year, it rose to more than twenty per cent. above that price: the amount of bank notes in circulation at the former, exceeding, in a small degree, that of the latter period. It is impossible that these variations in the price of gold and silver, in the short space of one year, can be entirely chargeable to the depreciation of bank notes. The effect which these variations, in a great commercial state, where the precious metals were considered only as commodities, were calculated to produce upon the currency of the neighboring states, has not been ascertained. The convulsions to which most of these states were subject during that period, may account for the want of sufficient data to elucidate the subject. It is, however, highly improbable that these fluctuations were not sensibly felt by them.

Having considered the nature and extent of the variations in value, to which a metallic currency is necessarily subject, it remains to examine, whether it is practicable to devise a system, by which a paper currency may be employed, as the standard of value, with sufficient security against variations in its value, and with the same certainty of its recovering that value, when, from any cause, such variations shall have been produced. It is distinctly admitted, that no such paper currency has ever existed. Where the experiment has been made directly by government, excessive issues have quickly en-

sued, and depreciation has been the immediate consequence. Where the experiment has been attempted through the agency of banks, it has invariably failed. In both cases, instead of being used as a mean of supplying a cheap and stable currency, invariably regulated by the demand, for effecting the exchanges required by the wants and convenience of society, it has been employed as a financial resource, or made the instrument of unrestrained cupidity. In no case has any attempt been made to determine the principles upon which such a currency, to be stable, must be founded. Instead of salutary restraints being imposed upon the monied institutions which have been employed, the vital principle of whose being is again, they have not simply been left to the guidance of their own cupidity, but have been stimulated to excessive issues, to supply deficiencies in the public revenue. This is known to have been the case, in an eminent degree, in the experiment which has been attended with most success. The issues of the bank of England, on account of the government, were frequently so great as to destroy the demand for discounts by individuals. In consequence of these excessive issues, the interest of money fell below five per cent. the rate at which the bank discounted; the demand for discounts at the bank, therefore ceased. It is, indeed, not surprising, that no systematic effort has been made to restrain excessive issues. In the case of banks, the experiments which have been made were intended to be temporary; they were the result of great and sudden pressure, which left but little leisure for the examination of a subject so abstruse. The employment of a paper circulation, convertible into specie, the favorite system of modern states, having, as has been attempted to be shewn in a previous part of this report, the inevitable tendency to produce the necessity of resorting, in every national emergency, to paper, not so convertible, imposes upon those who are called to administer the affairs of nations the duty of thoroughly examining the subject, with a view, if practicable, to avoid that necessity. If the examination does not result in the establishment of a paper currency, unconnected with specie, it may lead to the imposition of salutary checks against excessive issues, when the necessity of suspending payment may occur.

It has already been said, that every attempt which has been made to introduce a paper currency has failed. It may also be said, that of all the systems, which, during the discussion of this interesting subject, both in Europe and the United States, which have been proposed, none are free from objections. It is possible that no system can be devised, which will be entirely free from objections. To ensure the possibility of employing such a currency with advantage, it is necessary:—

1. That the power of the government over the currency be absolutely sovereign:
2. That its stability be above suspicion:
3. That its justice, morality, and intelligence, be unquestionable:
4. That the issue of the currency be made not only to depend upon the demand for it, but that an equivalent be actually received:
5. That an equivalent can only be found in the delivery of an equal amount of gold or silver or of public stock:
6. That, whenever, from any cause it may become redundant, it may be founded at an interest a fraction below that which was surrendered at its issue.

1. This proposition needs no elucidation. Coinage, and the regulation of money, have, in all nations, been considered one of the highest acts of sovereignty. It may well be doubted, however, whether a sovereign power over the coinage necessarily gives the right to establish a paper currency. The power to establish such a currency ought not only to be unquestionable, but unquestioned. Any doubt of the legality of the exercise of such an authority could not fail to mar any system which human ingenuity could devise.

2. A metallic currency, having an intrinsic value, independent of that which is given to it by the sovereign authority, does not depend upon the stability of the government for its value. Revolutions may arise; insurrections may menace the existence of the government; a metallic currency rises in value under such circumstances: it becomes more valuable, compared with every species of property, whether moveable or immovable, in proportion to the instability of the government. Not so with a paper currency; its credit depends, in a great degree, upon the confidence reposed in the stability of the authority by which it was issued. Should that authority be overthrown, by foreign force, or intestine commotion, an immediate depreciation, if not an absolute annihilation, of its value, would ensue.

3. It might, however, be saved from such destruction by a well grounded confidence in the justice and intelligence of the government, which should succeed that which had been overthrown.—The history of modern times furnishes examples that are calculated to inspire this confidence. In France, during the revolution which has just terminated, the public debt was reduced to one third of its amount. The same rule was applied to the public debt of the Dutch republic, when it fell under French domination. In the successive political changes to which France has, since that period, been subjected, the public debt and the public engagements have been maintained with the strictest good faith. In Holland, that portion of the public debt, which had been abolished by the French government, has been restored. In the opinion of well informed men, however, the conditions connected with that restoration were so onerous as to render it almost nominal. Indeed, the public debt in that country had become so disproportionate to the means of the nation when deprived of the resources it enjoyed when the debt was contracted, that the reduction which it underwent while the country was annexed to the French empire, was not generally considered an evil. The reduction of the national debt of France during the revolution was perhaps equally indispensable. If the intelligence of the age, and the influence of public opinion, even in states where the reign of law was but imperfectly established, have been sufficient to induce the governments which have alternately succeeded each other for the last twenty five years, in France and Holland, to respect the public engagements which had been previously contracted, well grounded expectations may be cherished, that the period is rapidly passing away when the public faith of nations can be violated with impunity.

If public engagements, under such circumstances, have been considered obligatory upon those who have successively administered the affairs of those nations, a reasonable confidence may be reposed in the fulfilment of the obligations which may be con-

tracted by existing governments, where the reign of law is firmly established. It is not denied that a paper currency furnishes strong temptations to abuse. Millions may be issued in a few days; and the deficiencies in the revenue promptly supplied, if the condition of receiving an equivalent is abandoned. The moment the currency shall be issued as a financial resource, depreciation will follow, and all the relations of society will be disturbed. If the government of the nation in which a paper currency has been established, shall be deeply impressed with this truth, will it not be restrained from the apprehended abuse? Currency of every kind is liable to great abuses. The history of the coinage of every nation whose annals are known, is little more than the detail of the frauds which have been practised by governments upon the people; until the twentieth year of the reign of Edward the III. of England, a pound troy of silver of standard fineness, and a pound sterling, were synonymous terms: twenty shillings sterling being, in fact, a pound troy of standard silver. Change followed change in rapid succession, until, in the reign of Elizabeth, a pound troy of standard silver was directed to be coined into sixty two shillings. This immense change in the value of the currency was effected in the space of about two centuries. In other modern states, during the same period, changes not less important occurred in the coinage. Frequently, these changes were effected by deteriorating the standard fineness of the coin. For more than a century past, the coinage of the civilized world has undergone no material change with a view to the practice of fraud upon the people. Whether this forbearance is to be attributed to an improvement in the morality of modern governments, or to a more correct understanding of the principles of currency and of the consequences that must result from every change by which the relations of the society are effected, it furnishes just ground of expectation that they will not hereafter be attempted. Nothing more is necessary to secure an unalterable adherence to the maxims upon which it is manifestly necessary that a paper currency must be founded in order to preserve an uniformity of value, than the same morality and the same intelligence. Without assuming the principle of the perfectibility of human nature, the hope may be indulged that the nature of currency will continue to command the attention of statesmen, and that the abuses which have resulted from improper changes in the currency, will not again occur in the same degree.

4. When the currency is metallic, no addition can be made to it without giving an equivalent. It is indispensable that this condition should be annexed to the acquisition of the paper currency, preliminary to its entering into circulation. If it can be put in circulation, only on paying its nominal amount in that which has a general and fixed value, determined by the consent of other nations, it will continue to preserve that value during the time it circulates, unless the relation which it bore at the time of its issue, to the quantity of articles, the exchanges of which it is destined to perform, shall be varied.

5. As a paper currency is issued upon the national credit, the whole property of the nation is pledged for its redemption, whenever, by any circumstance, it may become the interest of the community that it should be redeemed. It is, therefore manifest, that it should not issue upon the credit of any individual, or association of individuals. A part can

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never be equal to the whole. The credit of any individual, or association of individuals, cannot be equivalent to that of the nation, of which they form a part. But, it may be said, that although the credit of individuals is not equivalent to the credit of the nation, yet an equivalent for a particular portion of that credit, may be found in the pledge or mortgage of property of equal or greater value, than the currency issued upon it. This may be true; but the value of property has been continually fluctuating:—it will continue to fluctuate, after giving to the advocates of a paper currency full credit for the superior stability which, they suppose, will attend its substitution for gold and silver as the standard of value. But this is not the only objection to the acceptance of property as a pledge for the payment, by individuals, of an equivalent for the paper currency which may be advanced upon such pledge. Frauds will be practised by pledging property which is encumbered, which it would be extremely difficult to detect. The government will be involved in endless litigation with individuals who are interested in the incumbrances, by which its rights to the property pledged is embarrassed. In such contests, the interest of the government is always endangered, even where right is on its side. It is not qualified to enter into such litigations, with an equal chance of success. The feelings of the community are always, except in flagrant cases of fraud, upon the side of an individual, supposed to be struggling with the overwhelming influence of authority. Besides, in all contests of this nature, something of the respect for the government, which ought to be cherished by the citizens, especially of a free state, will be lost. The situation is invidious, and ought not voluntarily to be assumed by a government jealous of its dignity and purity of character. It is, therefore, believed that a national currency cannot be issued with safety, with a reasonable prospect of success, and with sufficient security against redundancy, but in exchange for gold and silver of a definite standard, or for the public stock at certain fixed rates. When issued in exchange for them, and for them alone, there is, though not the same, yet perhaps an equal security against redundancy as in the case of a metallic currency. When it is issued in exchange for coin, there is no addition made to the currency. When it is issued in exchange for public stock, commanding, previously to the exchange, its par value in coin, the party who acquires the currency parts with that which was equal to specie and is deprived of the annual interest which it produced. Unless the interest of the currency, resulting from its scarcity, should exceed that paid upon the stock, it would not be demanded in exchange for the stock. In either case, the danger of redundancy is extremely remote.—By the exchange of specie for currency, the active capital of the country will be increased to the amount of the currency; and the capacity of the nation to redeem it, whenever it shall, by any circumstance whatever, become expedient, will be unquestionable.

But, it may be doubted whether, under such conditions, a paper currency ever can be put in circulation. Under a government firmly established, conducted by upright and enlightened councils,

and possessing absolute power over the currency, it is believed there is no just reason to apprehend a difficulty of that nature. If, in such a government, banks existed, deriving their powers from it, the specie in their possession would be gradually exchanged for the paper currency which would become the basis of their operations. Not only the specie which they possessed would be thus exchanged, but exertions would, from time to time, be made to acquire the sums necessary to support their banking operations. Specie would be imported, even at an expense, for the purpose of being exchanged. Whilst specie formed the basis of the operations of banks, its importation could not fail to be productive of loss. Each importation not only produced the necessity of additional importations, but of an increased expense. But, when importations shall be made for the purpose of being exchanged for the currency, the exportation of the specie thus imported, will not affect the operations of the banks. It is only when the funding of the currency shall commence, that they will be admonished to desist from further importations. Individuals and banks would likewise exchange public stock at the rates prescribed by the system for the paper currency. Whenever the demand for currency should be such as to raise the interest of money considerably above that produced by the public stock, it would, by banks and individuals, be given in exchange for the currency. But the facility, which the existence of a public debt furnishes in procuring the paper currency, is counterbalanced by the difficulty of complying with the public engagement to discharge such debt in a metallic currency. After a paper circulation shall be substituted for gold and silver, they will be found in the country only in the quantity demanded for manufactures, and for such branches of commerce as are entirely dependent upon them. A considerable demand for gold and silver by the government, to meet its engagements, previously contracted, would raise their price in the market, and render the obligation to discharge those engagements, in the precious metals, not only extremely onerous, but perhaps sometimes impracticable. In such a state, a compromise with the public creditors would seem to be a preliminary measure. This, under any circumstances, would be a measure of great delicacy and difficulty, and, in some cases, would probably be utterly impracticable.

6. Whenever, from any cause, the currency should become redundant, the redundancy may be funded at a rate of interest, a fraction below the rate of legal interest.

In determining the rate at which it may be funded, due regard should be paid to the rate of interest previously existing in the state. The rate of interest, it is conceived, ought not to depend, and, where a metallic currency prevails, does not depend, solely upon the amount of currency necessary to perform, with facility, the exchanges required by the wants and convenience of society. In a new country, where there is but a slight accumulation of capital, the interest of money will be high, notwithstanding there may be even a redundancy of currency beyond what is necessary to effect its exchanges. In such a country, all the objects upon

which capital may be employed, except those of the most simple kind, are unoccupied. The currency necessary to effect the exchanges of its property, moveable and immoveable, will be entirely insufficient to satisfy the demand for capital for those objects. If it should be multiplied, so as to equal that demand, it would exceed the demand for the necessary exchanges of society, and, consequently, depreciate. Such, in fact, it is believed, would be the consequence of issuing the currency upon individual credit, or upon the pledge of property, at a rate of interest below that which previously existed in the state. Any change of the interest of money by law, previous to its having taken place in individual transactions, in consequence of the accumulation of capital, would be unjust, and could not fail to produce serious inconvenience to the community. Admitting the rate of interest, in a state about to make the experiment, to be six per cent. then the currency should be issued only in exchange for specie or six per cent stock, or other stock according to that ratio. If the currency should, when, by any means, a redundancy existed, be fundable at five and a half per cent. interest, the utmost depreciation, to which it could be subject, would be eight and one third per cent. But it is probable that the real depression in its value would not, at any time, be more than half that amount. Before funding would commence, the public stock, receivable in exchange for the national currency, would be above the rates at which it was receivable. Its issue upon the exchange of stock would, therefore, have ceased. There are in every community capitalists who would prefer lending to the government at 5½ per cent. than to individuals at six. The funding of the currency would, therefore, begin before the redundancy would offer any general inducement to that mode of reducing it. The variation to which its value would be subject, would therefore be less than eight and one-third per cent. It would be the interest of the government to reserve the right of redeeming the stock created by funding, at its par value; under the condition, however, of redeeming it according to the order of time in which it was created. Connected with this system should be a permission to the banks to purchase public stock, but not to dispose of it, except to the government, at its par or current value, when under par, unless the government should decline the purchase. The currency, upon being funded, should be invariably cancelled. Under a system of this kind, if no other paper was permitted to circulate, than the national currency, a redundancy which would affect its value could only occur by a temporary diminution of the articles which were to be exchanged through its instrumentality. In that event, the price of the articles would be enhanced, so as to require a greater amount of currency to effect their exchange. Should the price not be enhanced, in proportion to the diminution in the quantity of the articles, that portion of the currency which would, under such circumstances, be left without employment, would be funded. A just relation between the amount of currency, and the demand for it, would be promptly restored without affecting, injuriously, the relations between individuals. On the other hand, should a greater quantity of exchangeable articles be produced, the demand for currency would exceed the supply, and lead immediately to additional issues, until the necessary supply should be obtained.

But, in a state where banks already existed, which derived their charters from the sovereignty that regulated the currency; where the people

were accustomed to bank notes, and in the habit of receiving them, the agency of these institutions might be admitted in supplying a portion of the currency. They might be permitted to issue their notes, payable on demand, in the national currency. Their notes would, of course, be issued on personal security. In this case, the currency might become redundant by the issues of the banks. Whenever this should happen, the national currency would be demanded of them for the purpose of being funded; the banks would be compelled to curtail their discounts, to relieve themselves from the pressure, and the amount of the currency would be promptly reduced to the legitimate demand. Wherever the agency of banks should be employed in furnishing part of the circulation, a refusal, or omission, to discharge their notes on demand, in the national currency, should be treated as an act of bankruptcy. The national currency being a legal tender in the payment of debts to individuals and to the government, would, in relation to the banks, perform the functions of specie, where bank notes are convertible into coin. But, in order to impose a salutary check against excessive issues of bank notes, the national currency should alone be receivable in all payments to the government.

In an attempt to trace the probable results of a paper currency, founded upon the principles which have been developed in the preceding pages, the influence which it will have upon foreign exchange requires investigation. The want of stability, morality, and intelligence in the government, which may undertake to substitute a paper for a metallic currency, are the objections which have already been considered. To these, according to common opinion, is to be added, the injurious effect which, it is supposed, it will have upon foreign exchange. In a country, where the currency is metallic, an unfavorable state of foreign exchange will probably have the following effects.

- 1st. To raise the price of exportable articles as much above that, which they ought to bear, as the premium paid upon foreign bills, until it exceeds the expense of exporting specie to the foreign market.
- 2d. When this rise exceeds the expense of such exportation, the price of exportable articles will fall gradually below what they ought to command, to the extent of that excess.
- 3d. Until this fall in their price shall be effected, specie will be exported; after which, it will cease.
- 4th. This fall in their price, by increasing their consumption in the foreign markets, ultimately provides for the return of the specie which had been exported.
- 5th. During the second and third stages of this process, the price of all articles not exportable, is affected in a greater degree; enterprise is damped, and distress prevails.

Such are the necessary effects of an unfavorable state of foreign exchange, where the currency is metallic. As the vital principle of commerce is gain, it is probable that, generally, the price of exportable articles would, in fact, be rather higher than is stated in the preceding deductions; the timid might export specie, before the premium upon exchange exceeded the expense of its exportation; but timidity is not the predominant characteristic of commercial enterprise. On the other hand, the sanguine and enterprising, relying upon the chance of better markets, would give higher prices rather than submit to certain loss upon the exportation of specie or the purchase of bills above par.

In a country where paper currency has been adopted, and the principles by which a redundancy may be prevented have been enforced, an unfavorable state of foreign exchange will probably have the following effects:

1st. The effect of raising the price of exportable articles, as much above what they ought to bear, as equals the premium upon foreign bills. But, in this case, gold and silver being exportable articles, will rise in the same proportion as all other articles.

2d. When the price of all articles is raised so high, that a loss will be incurred by their sale in foreign markets, those who have no remittances to make will withdraw from the competition. If profitable investments in other enterprises cannot be made, a portion of the currency, at their disposition, will be withdrawn from circulation, by being converted into funded stock; competition will, in this manner, be diminished; the price of articles for exportation will be reduced by the reduction of the currency, and by diminished competition among the purchasers. It is not probable, however, that the price will fall so low as to admit of a profit in foreign markets, as long as the premium upon exchange continues above the ordinary commercial profit upon exported articles. But, exportation will not be continued at a certain loss, longer than the discharge of debts previously contracted renders indispensable; foreign articles will not be imported, when the loss upon remittances, whether made by bills of exchange, or by the importation of commodities, is equal to the profit upon importation; the high price given for exported articles will increase their production, and restore foreign exchange to a favorable state. The balance of trade and the rate of foreign exchange, which have given so much trouble to statesmen for two centuries past, when left to the laws by which they will be governed, in despite of human devices, as invariably regulate themselves, as fluids when unrestrained find their common level. They will, probably, more promptly conform to these laws in a state, where a well regulated paper currency prevails, than where it is metallic. In the latter, the currency is exported to make up any temporary deficiency, and by that means provides against the recurrence of the evil, by indirectly causing an increase of the exportable articles of the state, and diminishing the importation of foreign articles. Until the capacity to purchase these by the exchange of articles shall be restored in the former, as the currency cannot be exported, the importations will be more promptly reduced to the capacity of the country to purchase, whilst the increase of its exportable articles will be the direct, instead of the indirect consequence, of a temporary incapacity to pay for previous importations.

3d. During the whole process of restoring a favorable state of exchange, in a country where a well regulated paper currency prevails, the price of all articles, not exportable, will suffer no material variation. The funding of the currency, which will probably take place, will not be, immediately, carried so far as to reduce the price of exportable articles so as to command a profit in foreign markets. They will, so long as the rate of exchange is unfavorable, continue to command higher prices than when the exchange is favorable. This increased price will encourage industry and enterprise, and constantly tend to augment the productive energies of the community. This effect cannot fairly be attributed to any depreciation in the currency.

That will continue to bear nearly the same proportion to the exchangeable articles of the state, as when foreign exchange was favorable. It is probable even that its relation to those articles will be changed, so as to produce an appreciation of the currency; and that this appreciation will be perceived, in a slight degree, in the depression of the value of all articles not exportable. The effects of this appreciation will, however, be diminished by the impulse given to industry and enterprise, by the increased price of all articles which can be exported.

These are conceived to be the effects which a well regulated paper currency will have upon the foreign exchanges, and upon the domestic industry of the country which may adopt it. If the value of currency depends, like that of all other articles, upon the quantity compared with the demand, the idea of its depreciation in raising the price of articles in the case which has been considered, must be rejected. That this position is incontrovertible seems to have been admitted by all writers upon the subject. This admission is found in the reports which have been made to the British parliament; in the evidence upon which those reports have been founded; and in the essays of those who have opposed the paper system in that country, since the year 1797. The objection to the paper system, as it existed in England, was the absence of all restraint upon the issue of paper, and the supposed impossibility of imposing any efficient restraint. In fact, no attempt has been made to impose such restraint in that country, unconnected with the convertibility of bank notes into the precious metals. So far as this restraint is limited to the convertibility of bank notes into bullion, at any given rate, it is rather an attempt to regulate foreign exchange through the instrumentality of the bank, than to confine the issue of bank notes to the sound demand for currency. The restraint imposed seems to rest upon the idea, that an unfavorable state of foreign exchange must be the result of a redundant currency. Nothing can be more incorrect than this hypothesis. Considering the vitiated state of the currency of England for more than twenty years past, it is not surprising that this idea should there be entertained. During that period, the unfavorable rate of foreign exchange which generally prevailed, was, if not directly, at least indirectly, attributable to the depreciation of their currency. But, in this interval, a favorable rate of foreign exchange more than once occurred. To what could this favorable exchange be attributed? Certainly not to the depreciation of their currency. But it would be as unjust to attribute every unfavorable state of foreign exchange to the depreciation of the currency, as to ascribe to that currency the credit of any favorable state of such exchange. The truth is, that fluctuations in the exchange, between two countries having a metallic currency, continually occur, and depend upon principles wholly unconnected with the idea of a depreciated currency.

If these views be correct, the only obstacles to the establishment of a paper currency, by a government having a sovereign right to establish it, is the danger of the instability and want of integrity and intelligence of the government. There is, certainly, just reason to apprehend that emergencies may arise in the affairs of every nation, in which their stability may be menaced, by foreign force or domestic insurrection. In such an event, a panic might ensue, and the credit of the currency be utterly annihilated. How far the recent examples

which have been adverted to in other states—how far the influence of public opinion over the conduct of governments, may be relied upon, as an efficient preventive against evils of such magnitude, must be determined by those to whom, under Divine Providence, the prosperity and happiness of nations are committed. The subject involves all the complicated interests of society, except the enjoyment of civil, political and religious liberty. It ought to be approached with more than ordinary circumspection. In states the best qualified to attempt the change, it is environed with doubts which can only be dispelled by the light of experiment. In the United States these doubts are greatly increased by the complex form of the government. In the division of power, between the federal and state governments, the line of separation is not sufficiently distinct to prevent collisions, which may disturb the harmony of the system. Collisions have already arisen, and, in the course of human events, may be reasonably expected to arise, until the line of separation by which their relative powers and duties are determined, shall be distinctly defined by practice, or by explanatory amendments of the constitution, effected according to the forms prescribed in that instrument. Upon no question will collision more likely arise than that contemplated by the resolution under which this report is submitted. No attempt to make the change has succeeded. The measure, when stripped of extraneous difficulties, must be admitted to be of doubtful tendency. Under the most auspicious circumstances it may prove abortive. Under circumstances in any degree adverse, it must inevitably fail. Any obstacle opposed to its execution, by one or more of the state governments, would be decisive of its fate. Their simple acquiescence in the measure would not be sufficient to secure to it that issue, to which the principles upon which it might be established, would necessarily lead. Their active co-operation would be indispensable. The banks which derive their authority from the state governments, are generally bound by their charters to discharge their notes in specie on demand. From this obligation it would be necessary to the system to relieve them. The obligation to discharge their notes upon demand, in the national currency, should be substituted for that of paying them in specie.

If these obstacles should be removed, that connected with the public debt, which has been suggested in a previous part of the report, would still remain. After the substitution of the national currency, gold and silver would be imported only in the quantity required for manufactures, and for the prosecution of those branches of trade in which they are primary articles of commerce. For these purposes, the importations would be sufficient. They might even be sufficient, and at a reasonable price, for the payment of the annual interest of the public debt. But, after the year 1824, when the sum of 10,000,000 dols. would annually be expended by the commissioners of the sinking fund, it is probable that the premium which would be paid upon it, would be considerable, until the debt was extinguished. A compromise, as has already been suggested, with the public creditors would seem to be a measure preliminary to any attempt to establish a paper currency. It is more than probable that the attempt would not only be unsuccessful but that it would injuriously affect the public credit.

It may, also, be proper to observe, that those sections of the union where a measure of this kind

would be most likely to be acceptable, would probably derive from it the least benefit. In the west and in the south, the complaints of a deficient currency have been most distinctly heard. In the latter, these complaints are of recent date. In both they proceed in a greater degree from the disbursement of the public revenue than from any other cause. The great mass of public expenditure is made to the east of this city. The revenue accruing from imports, though principally collected in the middle and eastern states, is paid by the great mass of consumers throughout the United States. That which is paid for the public lands, although in some degree drawn from every part of the union, is principally paid by the citizens of the west, and of the south. The greatest part of the revenue accruing from the public lands, as well as that collected in the southern states upon imports, has been transferred to the middle and eastern states to be expended. The necessity of making this transfer, arises from the circumstance that, the great mass of the public debt is held in those states, or by foreigners, whose agents reside in them; and from the establishment of dock yards, and naval stations in their principal ports. This transfer will continue to be necessary until the public debt shall be extinguished, and until the other expenditures of the government can, consistently with the public interest, be more equally distributed. If a national currency should be established, the demand for it in the southern and western states, for the purpose of transmission, would be incessant; whilst its return by the ordinary course of trade, especially in the latter, would be slow and in some degree uncertain. The currency, being every where receivable by the government, would, for the purpose of remittance, be more frequently demanded in that section than specie, for the same reason, that the notes of the bank of the United States and its offices command there, at this time, a premium in specie. As the transfers of the public money are made by the bank of the United States, the excitement produced by the demand for specie, or funds that can be remitted, consequent upon such transfers, has been directed against that institution. All the evils which the community, in particular parts of the country, has suffered from the sudden decrease of the currency, as well as from its depreciation, have been ascribed to the bank of the United States, which, in transferring the public funds, has been a passive agent in the hands of the government.

It is then believed that the evils which are felt in those sections of the union where the distress is most general, will not be extensively relieved by the establishment of a national currency. The sufferings which have been produced by the efforts that have been made to resume, and to continue, specie payments, have been great. They are not terminated, and must continue until the value of property, and the price of labor, shall assume that relation to the precious metals which our wealth and industry, compared with those of other states, shall enable us to retain. Until this shall be affected, an abortive attempt, by the substitution of a paper currency, to arrest the evils we are suffering, will produce the most distressing consequences. The sufferings that are past will, in such an event, recur with additional violence, and the nation will again find itself in the situation which it held at the moment when specie payments were resumed.

I have the honor to be your most obedient servant,
WM. H. CRAWFORD.

*The honorable the Speaker
of the house of representatives.*

TABULAR STATEMENTS.

A.—is a very heavy table, shewing a general statement of the bank of the United States, and each of its offices, in the month of September, 1819. The following recapitulation serves all ordinary purposes.

Dr.—Funded debt of the United States, (various)	-	-	-	7,252,501 34
Bills discounted, viz:—On personal security	-	-	21,226,128 56	
On ditto and funded debt	-	-	229,024 00	
On ditto and bank stock, &c.	-	-	7,937,515 83	29,392,668 39
Bills of exchange, viz:—Foreign	-	-	136,470 66	
Domestic	-	-	1,375,087 86	1,513,558 52
Baring, Brothers & Co. for bills in favor of J. Richards	-	-	-	94,864 87
Offices of discount and deposite	-	-	-	32,267,712 09
State banks	-	-	-	2,964,860 65
Real estate, permanent expenses, and bonus	-	-	-	780,992 59
Expenses	-	-	-	79,936 61
Cash, viz:—Deficient at Baltimore	-	-	146,454 74	
Notes of the bank of the United States, and branches	-	-	10,582,147 09	
ditto ditto state banks	-	-	1,133,923 86	
Specie	-	-	3,254,479 91	15,117,005 60
TOTAL,				89,464,100 16
Cr.—Capital stock	-	-	-	34,973,828 63
Bank, branch, and post notes	-	-	-	14,392,258 49
Dividends unclaimed	-	-	-	33,814 60
Discount, exchange, and interest	-	-	-	465,088 28
Profit and loss	-	-	-	1,104,922 94
Due the bank of the United States and offices of discount and deposite	-	-	-	32,101,135 24
State banks	-	-	-	675,818 30
Baring, Brothers & Co. and Thomas Wilson & Co.	-	-	-	142,040 03
Premium and damages on bills purchased on account of Baring, Brothers & Co.	-	-	-	43,410 20
Bills of exchange, received of S. Smith & Buchanan	-	-	-	37,355 55
Deposites, viz:—On account of the treasurer of the United States	-	-	1,097,163 33	
Public offices	-	-	1,765,800 81	
Individuals	-	-	2,631,453 76	5,494,417 90
TOTAL,				89,464,100 16

The total amount of bank and branch notes issued is 14,392,258 49
Of which there was on hand at the bank and branches 10,582,147 09

In circulation

3,810,111 40

B.—Statement of the bank capital in the several states, districts, and territories, of the United States, as far as it was known at the treasury, during the years 1814, 1815, 1816, and 1817.

STATE, DISTRICT, OR TERRITORY.	CAPITAL. 1814.	CAPITAL. 1815.	CAPITAL. 1816.	CAPITAL. 1817.
	DOLLS.	DOLLS.	DOLLS.	DOLLS.
Maine	1,380,000 00	1,930,000 00	1,860,000 00	1,720,000 00
New Hampshire	838,250 00	942,350 00	943,350 00	997,550 00
Vermont	-	-	-	-
Massachusetts	11,350,000 00	11,600,000 00	11,650,000 00	11,300,000 00
Rhode Island	2,317,320 00	2,317,320 00	2,317,520 00	2,317,320 00
Connecticut	3,655,750 00	4,063,675 00	3,909,575 00	4,021,262 00
New York	17,185,352 00	17,700,736 00	17,145,979 00	16,991,704 00
New Jersey	2,121,932 00	2,071,957 00	1,672,115 00	2,076,465 00
Pennsylvania	14,963,333 00	15,346,432 00	15,393,594 00	15,732,615 00
Delaware	996,990 00	973,890 00	974,500 00	974,500 00
Maryland	7,872,002 00	8,243,422 00	8,346,782 00	8,657,147 00
District of Columbia	4,060,814 00	4,244,765 00	4,650,176 00	5,008,527 00
Virginia	3,592,000 00	4,752,460 00	5,521,415 00	4,884,565 00
North Carolina	1,576,600 00	2,594,600 00	2,776,000 00	2,796,600 00
South Carolina	3,730,900 00	3,832,758 00	3,832,758 00	3,919,973 00
Georgia	623,580 00	1,239,440 00	1,502,600 00	1,502,600 00
Louisiana	1,432,300 00	1,402,300 00	1,422,300 00	1,432,300 00
Mississippi	100,000 00	100,000 00	100,000 00	200,000 00
Tennessee	212,962 00	365,610 00	498,506 00	995,500 00
Kentucky	952,600 00	2,532,000 00	2,057,000 00	2,823,100 00
Ohio	1,435,819 00	1,932,108 00	2,806,737 00	2,003,969 00
Indiana	-	-	-	127,624 00
Missouri	-	-	-	193,125 00
	80,378,504 00	88,185,823 00	89,380,707 00	90,676,446 00
Bank of the United States	-	-	-	35,000,000 00
	-	-	-	125,676,446 00

E.

A Statement, showing the rate of exchange between Boston, New-York, Philadelphia and Baltimore, and London, during the years 1813, 1814, 1815, and 1816, and also the price of specie at New-York, and the rate of exchange between that place, Boston, Philadelphia and Baltimore, during the same period.

NOTE—The rate of premium is designated by the letter *a*, and the rate of discount by the letter *d*; in the fractional places the letter *h* designates one-half, the letter *q* one-quarter.

PERIODS.	AT NEW-YORK.					AT BOSTON.	AT PHILAD'A.	AT BALTIM'E
	Specie.	Bills on Boston.	Bills on Philadelp'a	Bills on Baltimore.	Bills on London.	Bills on Boston.	Bills on London.	Bills on London.
	PER CENT	PER CENT	PER CENT	PER CENT	PER CENT	PER CENT	PER CENT	PER CENT
1813. January	a 1-2	.	.	d 18	d 18	d 17h to 19	d 17
February	d 17	d 18 to 20	d 17
March	d 16 1-2	d 18 to 15	d 16
April	a 1-2	.	.	d 15	d 16	d 14 to 15	d 15
May	d 16	d 16 to 17	d 16
June	d 15	d 16 to 17	d 17
July	a 1-2	.	.	d 15	d 15	d 15 to 17h	d 15
August	d 14 1-2	d 16h to 15	.
September	d 14 1-2	d 14h to 16	.
October	a 1-2	.	.	d 14	d 14 1-2	d 15 to 12h	d 14 to 15
November	d 13	d 12h to 13	d 10 to 12h
December	d 7	d 13 to 5	d 10 to 12h
1814. January	a 1	.	.	d 8	d 5	d 5 to 2	.
February	d 8	d 6h to 9	d 5
March	d 10	d 7 to 10	d 8
April	a 1 1-2	.	.	d 7 1-2	d 8	d 8 to 8h	d 5
May	d 10	d 8 to 10	.
June	d 12	d 9 to 12	.
July	d 5	.	d 11	d 12 1-2	d 9 to 12	d 10 to 7h
August	d 12	d 12 to 13	d 11 to 7
September	d 12	d 14 to 7h	d 11 to 7
October . . .	a 10 to 11	.	.	.	d 5 to 6	d 13 1-2	d 10 to 2h	d 3 to par
November	d 12 1-2	d 2h to 2h a	par to 2h a
December	d 16	par to 2h a	2h to 3 a
1815. January . . .	a 11	a 23	d 2	.	par to 1 a	d 14	1 to 3 a	4 to par
February	d 14	3 to 2 d	par
March	d 8	2 to 2 3-4 d	par to 2 d
April . . .	a 12	.	d 3	d 6	d 4	d 8	2h to par	par to 3h a
May	d 5 1-2	par to 6 a	2 to 7h a
June	d 9	4 to 7 a	7 to 8 a
July . . .	a 13h to 15	a 10 to 11	d 4 1-2	d 6	par	d 4 1-2	5h to 6h a	8 to 5 a
August	d 9	6h to 10 a	8 to 16 a
September	d 3	11 to 7h a	11h to 19 a
October . . .	a 14 to 15	a 13h to 15	d 5	d 7	a 11	d 2 1-2	16h to 18 a	18 to 20 a
November	d 3 1-2	14 to 9 a	18 to 11 a
December	d 2 1-2	10 to 12h a	14 to 16 a
1816. January . . .	a 20	a 8 1-2	d 4 1-2	d 8	a 7 to 7 1-2	d 1 1-2	10 to 12h a	14 to 15 a
February	par	12 to 13 a	15 to 16 a
March	a 3	12h to 16 a	16 to 20 a
April . . .	a 12	a 6 to 6h	d 5 1-2	d 10	a 9 to 9 1-2	a 3 1-2	14 to 16 a	18 to 20 a
May	par	16 to 20 a	20 to 22 a
June	d 1 1-2	17h to 20 a	20 to 22 a
July . . .	a 6	a 6	d 10 to 10h	d 14	a 3 1-2	par	18 to 10 a	20 to 17 a
August	a 1-2	10 to 16h a	17 to 14 a
September	a 3	14 to 16 a	16 to 18 a
October . . .	a 2h to 3	a 1-2 to 1	d 4 1-2 to 6	d 7 1-2	a 6	a 4 1-2	12 to 15 a	17 to 16 a
November	a 4 1-2	14 to 16h a	15 to 9 a
December	a 2	5h to 7 a	9 to 10 a

*Bills on London fluctuated very much in price towards the close of December, at Boston and Philadelphia.

†Specie payments suspended at New-York, and south of that place, 1st September.

‡Bills on London fluctuated very much during these three months, at Boston and Philadelphia.

§News of peace 13th of this month, when the price of London bills declined.

"Let us see the light."

The following explains a thing that has often perplexed me, not being much versed in the ways of the world. It is anonymous—but I know the hand-writing, and can assure the readers of the REGISTER that the author of it is perfectly acquainted with the nature of the things disclosed, and that, in my opinion, he is incapable of misrepresenting facts.

Give the most extensive latitude that can be allowed to the cases referred to—viz. that accounts, just in themselves, sometimes cannot be passed for want of some forms or formal vouchers, it ap-

pears to me that the measures adopted for the settlement are begun at the wrong end; or, in common phrase, "the cart is put before the horse." It seems to me, that it ought to be the especial duty of the proper officer, if he cannot settle a person's account according to "justice and equity," to state the whole reason of it to congress, with the amount of the money that ought to be admitted to the credit of such person; on which congress, as the custom generally is, might admit or reject the claims as should seem correct, and not suffer undefined amounts to be paid away without their positive consent. Then "we the people" should know exactly how our money was

disposed of, and the responsibility would rest where it ought. We should hear of few *pre-sents* to clerks for *getting accounts through*, and the public safety and individual advantage would be exceedingly promoted. If the proper officer refused to report, the claimant might apply to congress, and the officer be summoned to shew the principles of his decision.

Every considerate man who is acquainted with the nature and extent of the business submitted to the committee of claims, must be aware of the severe drudgery which the gentlemen composing it have to undergo, and a multitude of the claims are sufficiently preposterous "to wear out the patience of a saint." Still, every petition should be considered, and by a more perfect subdivision of labor, it is thought that each claim might be promptly paid, or promptly refused to be paid, which cannot be done at present, let the members of this committee be as zealous as they may. Suppose there were several committees of claims, whose respective duties should be clearly designated—then there would not exist a necessity to neglect so many things as are neglected; and, whether there are more committees than one or not, the mode above proposed rather lessens than adds to the labor of the committee. It appears now as if congress was "saving at the spigot and letting out at the bung-hole:" almost every private claim is reported unfavorably of; but the weighty requisitions for the several departments, though in some cases severely contested, are generally complied with.

In fact—we want more economy of time and money, and a deeper looking into the public concerns. There never was a season so well fitted to bring about system, as at the present, for party has lost its fervor and force, and a man now may oppose or support any measure of government, without a spirit of hostility or mean subserviency being imputed to him.

Mr. Niles—

Believing it to be the duty of every good citizen to contribute his mite to the promotion of the "general welfare," I respectfully submit to you, and, through you, (if you please) to the public, the following facts—to the end that the "procedure may be corrected," if it shall be deemed right to correct it.

In casting my eye over the newspapers, I occasionally see acts for the *relief* of sundry persons who had petitioned congress, worded after the following manner—"That the accounting officer of the proper department be, and he is hereby authorised to settle and adjust the account of — upon just and equitable principles." Under a law like this, the party petitioning, it is presumed, generally gets what he asks. Now I should like to know how any one can, rightfully, have more extensive credits allowed him under such a law, than he would have been entitled to without it? Are not all accounts between individuals and the public settled in conformity to the principles of "justice and equity?" The reason of the practice is simply this:—Congress, with a view either to get rid of the trouble of investigating a claim, or of the responsibility of allowing or rejecting it, pass a law of the kind above mentioned; and, although it does not confer a particle of additional power on the officer who is to

adjust the account, there is, nevertheless, a perfect *understanding* that much more extensive credits are to be allowed the party than it was deemed expedient to allow him before the passage of the last law—which is, generally, entitled an act for his "relief."—Whatever allowances may be made, the officer making them always takes care to shield himself under this law;—and congress think they have done their duty when they have directed the account to be settled according to the principles of "*equity and justice*."—An act, as before remarked, of entire supererogation, because all public accounts are settled upon those principles, or were intended so to be settled, by permanent and pre-existing laws. By contrivances like these, large sums of money are, I feel well assured, either wrongfully drawn from the public treasury, or large claims on individuals who stood previously indebted, are wiped off.

This contrivance, either to get money out of the treasury, or to prevent the return of large sums previously drawn from it, is not of very old date. I have a perfect recollection of the first case of this kind that occurred,—on settling the account of a certain *great* man, he fell in debt to the government about twelve thousand dollars, after giving him credit for every fair and proper charge made in his account. The same person afterwards became conspicuous on a certain memorable occasion.* Not long after this he petitioned congress for "relief,"—who passed a law authorizing his account to be settled upon "just and equitable principles, under the direction of the secretary of —." It had already been settled upon just, fair and equitable principles, under the "direction" of the same officer; and yet, with no other provision in his favor than that his account should again be settled upon "just and equitable principles, under the direction of the secretary of —," on the re-adjustment of his account, the old balance against him was not only entirely extinguished, but the sum of about twelve thousand dollars was reported in his favor, which he received;—and all this too without producing a single voucher or fact other than what had been produced on the first settlement of the account.

There is so much of trick and fraud practised now o'days—so much of legerdemain, that if some of these shameful practices are not exposed and corrected, the evils will continue to grow upon us, until, at last, and before long, we shall be as corrupt in our republic as they are in any of their corrupt governments in the old world.

Believing, Mr. Editor, that your journal has done much good by inculcating sound republican doctrines (I mean that kind of republicanism which means something—not that which means "*any thing or nothing*"), and believing also, that it will continue to do good so long as it adheres to correct principles, and abstains from meddling with party politics—mere contests between the "*ins and the outs*,"—the foregoing remarks are respectfully submitted to your discretion, to do with them as to you may seem meet.—by

ONE OF THE PEOPLE.

11th March, 1820.

*As we have no personal object in the REGISTER, the editor has taken the liberty to alter a few words here which might have led to an individual's affair.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 5—VOL. VI.] BALTIMORE, APRIL 1, 1820. [No. 5—VOL. XVIII. WHOLE No. 447

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

OCCUPATION OF FLORIDA. An important message from the president on this subject, was laid before congress on Monday last. We have strongly opposed a seizure of the Floridas at present, though suggested by the president at the opening of the session, and since recommended by the committee on foreign relations, as being not only unnecessary but inexpedient, and are pleased to find reasons to believe that a seizure will not just now be made. We must frankly confess, however, that we do not understand why the European powers should have interfered in this matter, though it happens that their advice or wishes so well agrees with our own, as to the most material parts.

THE PROPOSED NEW TARIFF. We intended to have published this week, the bill lately introduced into the house of representatives by Mr. Baldwin, from the committee of commerce and manufactures, to establish a new tariff. This bill seems to have been devised with great care, and in most respects comes up to the reasonable wishes of nearly every considerable class of manufacturers, and also effectually protects every product of agriculture which may be interfered with by importations from abroad, such as of cotton, sugar, &c. The passage of this bill, together with those directing the prompt payment of duties and for regulating sales at auction, would cover our country with smiles in less than six months.

North-west passage. A report is circulated in London, on the authority of a letter signed "John Mc Tarish," and dated at *Montreal*, Dec. 27, 1819, that, by the ships which left England for the purpose last summer, the long supposed north-west passage has been discovered—that they had passed through one of the sounds of Baffin's bay and reached the mouth of the Copper Mine river, believed to empty into the North Pacific ocean. The story is improbable—had an event of such importance been known at *Montreal* in December last, we must needs have heard of it before this time.

MAIL ROBBERIES. As the eastern mail due at Baltimore, on Saturday last, the 23th ult. did not arrive in season, a suspicion was entertained that it had been robbed—and information was soon received that the horses employed in conveying it were found tied to a tree about three miles from the city. The mail is at present transported by a carriage prepared for the purpose, and not in stages—the general preference of travelling in the steam boats rendering the latter mode unprofitable to the contractors.

The alarm was instantly raised. Parties of patriotic citizens went out immediately, on the invitation of Mr. Skinner, the post master, to scour the country in all directions: The driver, mail and carriage were found about eight and an half miles from the city, in a thicket near the road, where a quantity of brush-wood had been laid to obstruct it. The driver was discovered with his arms extended and fastened to trees, murdered, by a bullet wound and two stabs in his breast!!! The mail bags cut open and rifled, and the fragments of letters strewn upon the ground.

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The situation of the horses indicated that the murderers and robbers had retired from the horrid deed towards Baltimore—heavy rewards were offered for the discovery of the wretches—every body was on the alert, for all were deeply interested in detecting the flagrant offenders; and, on the afternoon of the same day, two persons were arrested and committed to jail, charged with the murder and robbery. One of them named Perry Hutton, a native of Delaware, formerly a well known stage-driver, who lately broke jail at Richmond where he had been committed for kidnapping; the other a certain Morris N. B. Hull, a native of New York, passing for a doctor. On their persons were found more than 6000 dollars, and their trunks being examined, upwards of 10,000 dollars more were recovered, a considerable part in half notes. They are both young men, about 26 years of age, and had arrived at Baltimore from New York on the Tuesday preceding. Other persons were taken up on suspicion of being accomplices, but discharged. In the affair of the murder, Hutton and Hull maintained an obstinate silence. The belief is irresistible that the murdered man, whose name was John Heaps, knew Hutton, which caused his death.

The amount of money obtained by them must be conjectural—it is thought however, that nearly all has been recovered. All the letters or parts of letters ascertained to be for the Baltimore office, which have come to hand, were delivered. The packets and letters intended for other offices, were forwarded to the general post office, for examination and distribution.

Poor Heaps, the murdered driver, was a foreigner who emigrated to the United States about two years since. Having established a fair character and found the means of subsistence, he sent for his family, a wife and several children, who recently arrived! The pistol was put so near to his breast, that his clothes were singed. A leather mask has been found near the spot at which he was killed. Measures have been taken to obtain some provision for his family. See proceedings in congress.

P. S. The mail robbers, Hutton and Hull, have made a free confession of their guilt to judge Bland, of the U. S. district court. They agree in every thing but this. Hutton says that they did not originally intend to kill the driver, the other declares that they did. Hull shot him, and Hutton, (as report says,) stabbed him to put him out of his misery, from the first wound. The driver did not resist. The robbers assert that they had no accomplices, and that every dollar which they obtained has been recovered. Their plans were laid in New York.

Thus it is, that robbers of the mail are always detected, and it is to be hoped that such outrages on society will cease from the certainty of punishment.

Gentlemen who sent money to the editor of the REGISTER, that may have been in the robbed mail, and which is not receipted for in due time, will please to notify him of it, with all possible perspicuity, that applications for it may be made to the general post office.

New York, March 27.—For a few days past, a man who calls his name *Smith*, has been attempting to seduce the driver of the eastern mail stage into a conspiracy to rob the mail. The driver having

acted with great discretion on the occasion, has been the means of arresting the man, and frustrating his wicked intentions. He pretended to Smith that he would aid in the robbery and share with him the plunder. In the mean time, he informed Gen. Bailey of the circumstances, who took measures accordingly. Yesterday (Sunday) morning, being the time agreed upon, the robber took his station on the front seat of the coach, with the driver, as they started from East Chester. He soon opened the mail with a false key, and took out several packages; when, on a signal from the driver, the gentlemen inside the coach, Mr. Custis, a police officer, and Mr. Wiley, of the post office, immediately secured him. The villain is safe in Bridewell. It was his intention to have opened the mail occasionally with his false key and take out a few packages, then to close it—so that no clue could have been had to the manner of the robberies, and suspicion would have fixed upon the post masters.

Ⓐ This Smith, or, as he is called in another paper, *Smith Davis*, appears from some time expressions which he let fall during his examination, to have been concerned with those who robbed the mail and murdered the driver, near Baltimore—he said “that this occurrence was but trifling, compared with what may be expected to occur somewhere between Boston and Charleston, South Carolina.” He added—“I know that there is a combination of at least fifty persons, of genteel appearance, who are determined to carry their point.” The magistrates used every argument to induce the prisoner to disclose the names of the persons who had thus combined. This he obstinately refused, but said, if the president, after his trial, would grant him a pardon, he would then disclose the whole.

Religious Persecutions.

We recently noticed the conviction of a certain person named Carlisle, in London, for *blasphemy*, on account of his having published *Paine's “Age of Reason.”* The consequence of the conviction was, that several thousand copies, every copy of the work for sale in that metropolis, was immediately bought up by the people!

It is always thus. I well recollect a circumstance which happened in one of our own cities, of the following nature: A crafty bookseller had incidentally become possessed of a large quantity of a stupid work, in which what were deemed the superstitions of one of our sects, was furiously attacked. They lumbered his shelves for a long time—he never was even asked for the book! To relieve himself of his bad stock, he *politely* presented a copy of the work to the different clergymen of the sect attacked, with a very modest hint that such outrageous slanders ought to be resisted! Well—the clergy fell into the trap: the chief of them, with great zeal, condemned the work from his pulpit and cautioned his hearers against it—the consequence was, that in three days the bookseller sold every copy that he had, and at an advanced price on account of the demand, and gravely proposed to publish a new edition of the ‘popular’ volume!

In the United States, there is no statute law to prevent the publication of books called blasphemous; but the moral law is opposed to such productions, and they drop still-born from the press.” Perhaps, if all the bookstores in Baltimore were searched, a single copy of the “Age of Reason” could not be found in them; or, if a copy was found, it would be discovered among what the booksellers call rubbish and covered with dust. I have not

seen one for many years. It is out of print, and will remain so, unless persecution excites curiosity about it—for it is a thing without merit or power in itself.

When will men learn wisdom? Are we never to arrive at a state when “common sense” shall influence society? Have we made so little progress in *Christianity*, as to believe that human laws are necessary to support the sublime principles of the gospel? We are solemnly charged to let such things alone—“if they be of men they will come to nought—but if of God, ye cannot overthrow them.” If then, our religion is of Divine origin, and all professing Christians at least say that it is, why do we falsify our profession by attempting to force it—as though Infinite Mercy was pleased with persecution, and Unbounded Power unable to bring about His own purposes? Is the *spirit* which offered favorite scraps of the gospel in one hand, and pointed to the faggot with the other, wherewith people might be roasted alive for the “glory of God,”—to last forever?

The undoubted and a most blessed effect of the gospel dispensation, freely and really preached to all, is to emancipate the minds of men, and lead them into “all truth”—teaching, that they are awfully responsible, not to their fellow-men but to their Creator himself, for their faith and conduct. Hence, in proportion as genuine Christianity prevails, every one believes that he must do his own work, and his confidence in those who make a “craft” of religion, is diminished. I do not mean by this that the respect due to preachers of the gospel is lessened—it is rightful to exhort, reprove and instruct the people, on all suitable occasions, and call their attention to the duties which they owe to God and all the creatures and things by Him made—but as in opposition to that truly blasphemous conduct which converted men by the sword, and established certain individuals as depositories of the will of God regarding man, as is more or less the case in every country infested by government-priests and national churches, no matter what the sect or profession may be. Solitary fragments of this anti-Christian principle prevail in the United States, through the influence of imported books and dogmas, and the ambition of individuals. We sometimes hear that the rev. Mr. A. in his pulpit, attacked the rev. Mr. B. and that Mr. B. beat “the drum ecclesiastic” against Mr. A. spouting like a couple of lawyers at the bar for the sake of their fees, and equally scurrilous. Happily, these things are rare and are going out of fashion; but solitary cases must be expected while some of our state constitutions recognize a sort of right in the civil government to regulate men's faith, and prescribe the manner in which they shall worship their Maker, under penalties for non-conformity!

A light goes forth, human laws to support heavenly principles, retire—and the interference of interested men grows into disrepute. It is the natural disposition of man to resist dictation from his fellow-man, and there are many that will do what they themselves believe to be wrong, or at least inconvenient to them, if the contrary course is attempted to be forced upon them, by persons who have no rightful authority over them. This especially prevails in matters of faith: and if any of our legislatures were foolish enough to pass a law to punish a person for publishing the “Age of Reason” for instance, that imbecile book would be immediately put to press and published—and be read by thousands that therefore never had cared any thing about it. In the spirit to do this, is the best

security for civil or religious truth. All men are fallible, and as most men love power, the best check to an unjust or unholy acquirement of it, is a principle of resistance in the people. We are told that "the devil can quote scripture;" meaning, as I suppose, that the most evil propensities may be supported by partial extracts from the book which is our "rule and guide" in things of the greatest moment here and hereafter.

In monarchical countries, where sectarian dogmas are established by law, the generation of *hypocrites* naturally progresses. The priesthood is conferred by favor, and the veriest villains frequently profess a belief in things which they have not troubled themselves to understand, for the sake of the salary attached to the clerical office, and set themselves up as teachers of the people without one spark of godliness or virtue! This must be so while the outrageous system of a *government-religion* endures; and, when persons like these—who fatten on the sweat and blood of the laboring poor, are brought out to oppose Paine's book for example, the people spontaneously recollect the prophane cry of "great is the Diana of the Ephesians," and think there is some "craft" in the business, as well they may do, if it is denounced by those abominable men, whose whole lives are at war with *justice, mercy and humility*. The idea crosses the mind like that which was entertained by the by-standers, when, during one of the civil and "holy" wars of England, a soldier, so drunk that the street was not wide enough for him to walk in, was brought up by a church, and exclaimed, "Are you there you old b——; by—I'll support you!" We become disgusted with the best things if presented by filthy agents. Even *Mahomet's* paradise would fail to please the most wanton, if not tendered with virgin delicacy; and he as loathsome to reflecting minds as the leprosy is to the outward man. Mahomet was well aware of this disposition; for he represents his women for the pleasures of the "faithful" after death, as pure and unsullied. There is nothing more repugnant to my feelings than to see what I am willing to regard as a sacred or solemn rite, performed with indifference—or by a person that my conscience tells me is unworthy to partake in it himself. *Garrick*, being asked by a bishop, why it was that the people were more attentive to listen to a play than a sermon, said—"because we relate fictions as if they were truths, and you tell truths like fictions."

In free countries—where every man worships God after the dictates of his own heart, and goes to church or meeting, or lets it alone, at his own will and discretion—the priests and ministers are generally good, well-meaning men, or at least, are compelled to appear to be such, and pay homage to virtue—else they lose their livings, as well as the respect of the communities in which they reside. This is a matter of great importance to true religion, and the welfare of society in general: and hence it is, that there is a sweet affection commonly existing between the clergy and their hearers in the United States, which cannot exist in countries wherein it is the priest's great object to get as much as he can of his parish, by the *swindle*, and the first consideration of his flock to prevent it—in which there is every thing but a Christian spirit.

The persecution of the poor thing, *Carlisle*, at London, to which, if I recollect rightly, the *archbishops* were summoned, was precisely of the same nature as the following circular from the pope to the Irish prelates, though perhaps both would have made a common cause against *Carlisle*. It is a curious article to appear in the year of our Lord one thousand

eight hundred and nineteen—but what of that? Many of the *dignified* clergy of England did, until very recently opposed the general instruction of the poor by free schools, on the principle that, with the progress of knowledge, their own power would be diminished! Government-priests and government-religions are every where the same—the sinks of hypocrisy or the fountains of vice. With peculiar *tenets* I have nothing to do—it is their construction and operation only that I deprecate.

Circular of the Pope to the Irish prelates, on the subject of Bible schools—

"*Rome, Court of the Sacred Congregation*

for the propagation of the faith, Sept. 18, 1819.

"My Lord—The prediction of our Lord Jesus Christ, in the parable of the sower that sowed 'good seed in his field; but while people slept, his enemy came and sowed tares upon the wheat,' Mat. xvi. 24, is to the very great injury indeed of the Catholic faith, seen verified in these our own days, particularly in Ireland; for information has reached the ears of the sacred congregation, that bible schools, supported by the funds of the Catholics, have been established in almost every part of Ireland, in which, under pretence of charity, the inexperienced of both sexes, but particularly peasants and paupers, are allured by the blandishments and even gifts of the masters, and infected with the fatal poison of depraved doctrines. It is further stated, that the directors of those schools are generally speaking methodists, who introduce bibles translated into English by the "Bible Society," and abounding in errors, with the sole view of seducing the youth, and entirely eradicating from their minds the truths of the orthodox faith.

"Under these circumstances, your lordship already perceives with what solicitude and attention, pastors are bound to watch and carefully protect their flocks from the "snares of wolves, who come in the clothing of sheep." If the pastors sleep, the enemy will quickly creep in by stealth, and sow the tares; soon will the tares be seen growing among the wheat, and choke it.

"Every possible exertion must therefore be made to keep the youth away from these destructive schools; to warn parents against suffering their children, on any account whatever, to be led into error. But for the purpose of escaping the snares of the adversaries, no plan seems more appropriate than that of establishing schools wherein salutary instructions may be imparted to paupers and illiterate country persons.

"In the name then of the bowels (of the mercy) of our Lord Jesus Christ, we exhort and beseech your lordship to guard your flock with diligence, and all due discretion, from those who are in the habit of thrusting themselves insidiously into the fold of Christ, in order thereby to lead the unwary sheep astray; and mindful of the forewarning of Peter the Apostle, given in these words, viz: "there shall also be lying masters among you, who shall bring in sects of perdition, 2 Pet. ii. 8" do your labor with all your might to prevent the orthodox youth from being corrupted by them; an object which will, I hope, be easily effected by the establishing of Catholic schools throughout your diocese. And confidently trusting that in a matter of such vast importance, your lordship will with unbounded zeal endeavor to prevent the wheat from being choked by the tares, I pray the all-good and omnipotent God to guard and preserve you safe many years.

Your lordship's most obedient and humble servant,
"F. CARDINAL FONTANA, Prefect,
"C. M. PEDICINA, Sec'y."

If this paper, just now made known to the British public, has any effect, it will be to induce parliament still to refuse emancipation to the Roman Catholics of Ireland—working by the “rule of contrary,” just like the silly persecution of Carlisle. It cannot be doubted, but that the persecution of the Jews and cry of *Hep, Hep*,* in Germany against them, has elevated their standing in society; and such generally is, and almost ever will be the result of a fanatical or sectarian zeal, when it amounts to a denial to any of their common rights as *rational* beings.

Our Relations with Spain.

The following important message was transmitted on Monday to both houses of congress, by the president of the United States:

To the house of representatives of the United States.

I transmit to congress an extract of a letter from the minister plenipotentiary of the United States at St. Petersburg, of the 1st November last, on the subject of our relations with Spain, indicating the sentiments of the emperor of Russia respecting the non-ratification, by his Catholic majesty, of the treaty lately concluded between the United States and Spain, and the strong interests which his imperial majesty takes in promoting the ratification of that treaty. Of this friendly disposition, the most satisfactory assurance has been since given directly to this government, by the minister of Russia residing here.

I transmit also to congress an extract of a letter from the minister plenipotentiary of the United States at Madrid, of a later date than those heretofore communicated, by which it appears that, at the instance of the charge des affaires of the emperor of Russia, a new pledge had been given by the Spanish government, that the minister, who had been lately appointed to the United States, should set out on his mission, without delay, with full power to settle all differences in a manner satisfactory to the parties.

I have further to state, that the governments of France and Great Britain continue to manifest the sentiments heretofore communicated, respecting the non-ratification of the treaty by Spain, and to interpose their good offices to promote its ratification.

It is proper to add, that the governments of France and Russia have expressed an earnest desire that the United States would take no step, for the present, on the principle of reprisal, which might possibly tend to disturb the peace between the United States and Spain. There is good cause to presume, from the delicate manner in which this sentiment has been conveyed, that it is founded in a belief, as well as a desire, that our just objects may be accomplished without the hazard of such an extremity.

*The *Boston Centinel*, gives the following explanation of the word *Hep!* which is used by the Germans in pursuing and persecuting the Jews:

“This *Hep! Hep!* according to old chronicles, had the following origin.—In the year 1097, a party of crusaders, headed by Peter Ganssleish, went about recruiting for followers, with flags bearing the initials of the words, *Hierosolyma Est Perdita*, (Jerusalem is lost) *HEP*.—This swarm, however, never proceeded to the Holy Land, but remained in Germany, where they persecuted and murdered the Jews, and more particularly along the Rhine.—Whenever this band came with their colours, the people exclaimed *Hep! Hep!* and fell upon the Jews.

On full consideration of all these circumstances, I have thought it my duty to submit to congress, whether it will not be advisable to postpone a decision, on the questions now depending with Spain, until the next session. The distress of that nation at this juncture affords a motive for this forbearance, which cannot fail to be duly appreciated. Under such circumstances, the attention of the Spanish government may be diverted from its foreign concerns, and the arrival of a minister here be long delayed. I am the more induced to suggest this course of proceeding, from a knowledge that, while we shall thereby make a just return to the powers whose good offices have been acknowledged, and increase, by a new and single proof of moderation, our claims on Spain, our attitude in regard to her will not be less favorable at the next session than it is at present.

JAMES MONROE.

Washington, March 27, 1820.

Extracts of a letter from Mr. Campbell to the secretary of state, dated St. Petersburg, 20th October, (1st November) 1819, containing details of a conversation with count Nesselrode.

“Your despatch, No. 3, of June 3d, I had the honor to receive a few days ago.”

“After some general conversation, he* enquired, (as I presumed he would do, and waited for him to introduce the subject,) if I had any certain account of what Spain was doing, or had done, respecting the treaty lately concluded by her minister at Washington with our government. I had shortly before received from Mr. Gallatin a letter confirming the account which had already reached me through the newspaper, that the king had refused to ratify the treaty until he should obtain some previous explanations, relating, as stated by Mr. Gallatin, to two points: 1st, the declaration Mr. Forsyth was instructed, on exchanging the ratifications, to put in, that the grant to the duke d’Alagon for lands in the ceded territory, which, though intended to be, was not by the terms of the treaty made null, should be considered as null; and, 2d, an engagement required by Spain, on the part of our government, not to recognize the independence of any of the Spanish colonies; and that, to demand these explanations, a minister extraordinary was to be sent to Washington, though Mr. Forsyth had offered, as instructed, to give full explanations on any point connected with the treaty. I therefore informed the count, I had received authentic information, though not from my government, that the king had refused his assent to the treaty until he should obtain explanations on certain points, for which purpose, he proposed sending a minister extraordinary to Washington. I took this occasion to remark further, that, by official information from my government, I felt myself authorised to state, that Mr. Onis, the Spanish minister, was fully empowered to conclude the treaty, and might have yielded more than he did without exceeding his authority; and that the points on which it is now proposed to ask explanations had been fully discussed before the treaty was signed, and their extent and meaning explicitly understood by both parties; of which the Spanish court was fully informed; and our minister there was instructed to give ample explanations, which he offered to do, on any points relating to the treaty that might be supposed to require them. I added, that the treaty was undoubtedly, under all circumstances, highly favorable to

*Count Nesselrode.

Spain, and that, I was satisfied, a strong desire on the part of my government to preserve peace alone induced them to agree to its provisions; that I presumed he had been informed respecting the terms of the treaty by Mr. Poletica, with whom I understood you had freely communicated on the subject. He said Mr. Poletica had advised him that the explanations received from you respecting it, the treaty, was by him considered favorable to Spain. I then referred to the grant to the duke d'Alagon, briefly stated the nature of it, as made known to me, and observed, that, should the views of the king, as now avowed, in relation to it, supposing the principal point on which explanation was required be acquiesced in, the chief object of entering into the treaty would be thereby frustrated; that, by one of its provisions, the United States government agreed to pay, on account of Spain, to their own citizens, for spoiliations committed by her subjects, or in her ports, contrary to treaty, five millions of dollars out of the proceeds of the sales of lands in the ceded territory; but, should this grant, said to include a very large portion of those lands, be confirmed, the sum assigned for that purpose would fail, and, of course, this provision of the treaty could not be complied with.

He appeared to feel the full force of the remark, giving his assent to the conclusion drawn and proceeded to observe, it was to be regretted that Spain did not understand her own interest better than she seemed to do; that it was difficult to conceive, in her present situation, what could induce her to take the course she had done, refuse to ratify a treaty favorable to herself, and concluded by her minister vested with full powers for the purpose. He then remarked on the great importance of preserving peace, as far as practicable, among the civilized nations of the world, enquired what Spain could now do in regard to the business by sending a minister to Washington, and what course our government would be likely to adopt on the occasion.

I replied, that, as to Spain, I could form no opinion of the motives by which she was governed. I did not perceive what she could do, unless she receded from her objections to the treaty; and, as to my own government, though I was satisfied of its strong desire to preserve peace, I could not pretend to say what course it might conceive itself called on to take on the present occasion, though I presumed no decisive measures would be adopted to change essentially the relations between the two countries until congress should convene, early in December; and the course then pursued would probably depend upon what Spain should in the mean time do.

He then enquired how soon I expected to hear from my government, after it had been advised of the refusal on the part of Spain to ratify the treaty; and, being told that I could not state the precise time, with any degree of certainty, but that it would undoubtedly be as soon as despatches could reach this from Washington, he expressed, with some earnestness, his wish that I should make known to him, at as early a day as might be convenient, such information as I might receive from my government on this subject."

Extract of a letter from Mr. Forsyth to the secretary of state, dated Madrid, January 3, 1820.

"A few days after the date of my last, number 10, I had a visit from the count Bulgary, the Russian charge d'affaires; he came to see me in consequence of a conversation he had just had with the duke of San Fernando, respecting my official letter of the

18th of October, and the subsequent correspondence in relation to it. He stated to me, that the duke regretted the necessity of sending back the letter, but that it was so harsh in its terms, he could not place it before the king; to this was added a great many assurances of personal kindness and good will, not necessary to be repeated. I replied, that it was very mortifying to me, to be obliged to send the letter in the first instance, and not less so, to insist on its being received; that the duke had put it out of my power to act otherwise than I had done; but there was no difficulty in avoiding the unpleasant consequences likely to ensue. The duke had nothing to do but to give me such assurances in regard to the grants, as would render it superfluous for me to say any thing about them. His answer was at once curious and dissatisfactory. He said that the duke could not give me any assurances, such was the predominating influence of the grantees with the king. He was sincerely disposed to settle all the differences with the United States, and hoped, in a short time, to have power to effect it; had authorized count Bulgary, to say to the Russian government, that general Vives was going immediately to the United States, and would have competent powers; and that every thing would be amicably arranged—I made the Russian charge d'affaires sensible that one part of this statement contradicted the other. General Vives could not receive powers competent to the purpose of amicable settlement, if the secretary of state's despatch was unable, from the influence of the grantees, to say any thing about the large donations. This was a subject upon which the American government would listen to no terms; and friendly arrangement was out of the question, general Vives's visit to the United States useless, unless the Spanish government was prepared to abandon their pretensions in favor of the grantees. On the subject of the mission of general Vives, I desired the count to remind the duke, that I knew nothing of it. The general and loose declarations made months before, that the king would authorize some person to ask explanations at Washington, was all that the Spanish government had chosen to communicate to me. The count assured me of the personal anxiety of the minister to arrange every thing satisfactory between the two countries; that his hopes were strong of being able to effect it; that this business of the returned note was embarrassing, and if I went away in consequence of its not being received, that, what he believed to be the wish of the United States and of his government, and almost all other powers, might be frustrated. Matters were in a bad state at present, and this would make them worse. To this, I answered, in general terms, that matters must become worse, before they became better; that the government of the United States had every disposition to be friendly with Spain, and had evinced it in a variety of modes: for myself, I had, personally, every wish to be the instrument of promoting good will between the two nations. He said this government had a different impression. I was very sorry for it; unfortunately the conduct of the Spanish government had compelled me to speak with a plainness and openness which were disagreeable, as they were not accustomed to it. In the course of a long conversation, it occurred to me, that this dispute about the note might be made useful, as I found the Spanish government anxious to avoid receiving it, and, contrary to my expectation, desirous that I should remain here. I believed it practicable to accelerate their movements in our affairs without yielding the point in dispute.

With this belief, I stated to count Bulgary, that, if the duke of San Fernando would officially say to me, at once, that general Vives was going immediately to the United States, with ample authority to arrange the business of the convention, and that it was the particular wish of his majesty's government, that the letter of the 18th should be withheld and that all matters relating to the convention, should be discussed in Washington, notwithstanding I had positive instructions to remonstrate on the subject of the grants, and the conduct of Spain in relation to them, I would take the responsibility of retaining the obnoxious paper in my hands, until compelled by events to deliver it, or until I receive further advice from the president.

The duke must understand, that this was done with a perfect understanding that I insisted upon the right of returning the paper, and should exercise that right, whenever I deemed it necessary. The count left me with the expectation of making this arrangement. A few days afterwards we had another interview; he told me that the duke would write, to tell me of the appointment of gen. Vives, and of the intention of sending him immediately to Washington; that he could have full powers, &c.; but that the duke thought he could not advert particularly to the remonstrance, or the correspondence in relation to it, without commenting upon it, and this he desired to avoid; I answered, that I could not tell how I should act until I saw the duke's note; if I found in it a sufficient justification for detaining the remonstrance, I would do so, and would look at it, with a view to find that justification. The duke knew from me, that I was instructed to remonstrate earnestly on the subject of the grants, and might judge from my manner of performing the duty, of the sentiments of the American government. A week elapsed after this last conversation without my hearing from the secretary of state. I called on the Russian charge d'affaires to say, that I was surprised at this delay, and that I should certainly return the remonstrance, if I did not hear from the duke in a few days. He saw the secretary of state in consequence of this visit, who assured him, that his personal indisposition had prevented him from sending me the intended note. On the 18th December, I received the duke's note, a copy of which is enclosed, marked No. 1; you will see that it is not what I had reason to expect. He does not request a suspension of any correspondence, or say that it is the wish of the Spanish government that every thing should be left to the negotiation of gen. Vives. He merely states, that, in his view, to continue discussion here would be superfluous, and likely to embarrass the negotiation. Perhaps, considering their peculiar mode of doing business, I had no right to calculate upon any thing more.

Nevertheless, I am not at all satisfied with it, and had I consulted my own inclination only, I should immediately have sent back the note of the 18th October, with the translation. What has occasioned me to delay and deliberate, and still keeps me uncertain how to act, is the apprehension that my judgment of what is proper might be involuntarily influenced by my own wishes. I need not conceal from you, that my situation here is unpleasant, and that I find no sufficient consolation for my personal mortification in the consciousness of being useful to the United States, feeling as I do, that I am almost, if not altogether, useless. The very awkward state of my private affairs in Georgia, in consequence of my unlooked for detention here, increases my anxiety to leave Spain. What I fear, and I

hope it is not an unworthy apprehension, is, that these circumstances may unconsciously induce me to believe, that the more energetic course is the best. What I have at last resolved upon is, to delay my answer until I see the president's message. It will then be sent before gen. Vives leaves Europe. He is still in Madrid, goes in a coach and collars to Bayonne, a journey of 12 or 15 days; thence to Paris, from Paris to England, and from England to the United States. *His rapid journey* to Washington, will probably be finished in May. My answer will be regulated by the advice I hope soon to receive from Washington. I shall certainly not go further, in any event, than to say, that I shall retain the letter of the 18th October for a short time, under the hopes that his majesty will render it unnecessary to make any remonstrance on the subject of it.

The duke of San Fernando to Quiruga to Mr. Forsyth.
[TRANSLATION.]

To the minister of the United States:

SIR: In consequence of the decision of the king, my master, and in conformity with the communications which my predecessor and I have had the honor to make to you, the moment has arrived when the person of whom his majesty had made choice, is about to proceed to America, for the purpose of asking of your government the explanations which his majesty has judged to be indispensable, previous to the ratification, by his majesty, of the treaty concluded and signed by Don Luis de Onis.

The plenipotentiary appointed is the Marechal de Camp don Francisco Dionisio Vives; a distinguished person, in whom the king, my master, has the fullest confidence, and to whom he has given the most ample powers to settle all the difficulties he so earnestly wishes to see removed, and succeeded by the establishment, on a solid basis, of that harmony between Spain and the United States to which their mutual interests so strongly invite them.

As Don Francisco D. Vives will set out immediately on his journey, and proceed expeditiously, I consider the measure now communicated to you, and which you will be pleased to make known to your government, as dispensing with any farther discussion here of the points which form the object of the above-named gentlemen's present mission, as a continuance of it would only tend to embarrass the course of the direct negotiation about to be established.

I renew to you, sir, the assurances of my distinguished respect, and I pray God to preserve you many years,

The Duke of SAN FERNANDO & QUIROGA:
Palace, 16th December, 1819.

Extract of a letter from Mr. Gallatin to the secretary of state, dated Paris, January 22, 1820.

"According to some accounts the intended minister to the United States left Madrid on the 9th. The British ambassador here told me that he was still there on the 11th."

Extract of a letter from Mr. Everett, charge d'affaires at the Hague, to the secretary of state, dated Hague, January 23, 1820.

"I stated in a late letter, upon the authority of the Spanish charge d'affaires here, that Mr. Onis's successor, general Vives, was at Paris, on his way to America. It appears, however, that he has not yet left Madrid."

TRANSLATION.

Extract of a despatch from count Nesselrode, to Mr. Poletica, minister of H. I. M. the emperor of Russia,

in the *United States*, dated 27th Nov (9th Dec.) 1819.

"You have doubtless been able to obtain information how far the president's last instructions to Mr. Forsyth were positive. The emperor will not take it upon him to justify Spain, but he charges you to plead, with the government at Washington, the cause of peace and concord. That government is too enlightened to take hasty steps, and its rights appear to be too solid, not to be weakened by a violent course of proceeding; and on the other hand, such is the character of the considerations which command the ratification, by Spain, of the arrangement relative to the Floridas, that it is to be hoped, she will, at length, yield to the force of evidence. The United States will then have added to the reputation of an able, that of a moderate, policy, and will gather, with security, the fruits of their wisdom. His imperial majesty, therefore, wishes that if there be yet time, you would engage the government at Washington to give to the Spanish ministry a proof of patience, which its circumstances might indeed seem to suggest. Nevertheless, the emperor does not interpose in this discussion. He makes, above all, no pretension to exercise an influence in the councils of a foreign power. He merely expresses a wish, dictated by his concern for the general welfare, and worthy of the generous good faith which characterizes the government of the United States."

The late fire at Savannah.

The liberal efforts of the citizens of the United States to relieve the sufferers by the late dreadful fire at Savannah, may well be referred to in honor of the American character; and we hope to see a complete list of the donations published; though the amount will not, probably, cover one twentieth part of the loss sustained.

In general we avoid every thing that can give a local character to the REGISTER, but the following correspondence is of such a nature that we feel justified in affording it a place—it is equally honorable to either of the parties engaged in it.

CITY OF BALTIMORE, 15th Feb. 1820.

SIR—I have the honor to enclose a copy of the proceedings of the city council and people of Baltimore, in consequence of the late awful calamity which befel the city of Savannah, together with the proceeds of the means adopted, amounting to the sum of 5232 dollars and 46 cents—I would respectfully beg leave to call your attention to the history of these things, and the circumstances in which the local authorities and the individuals of Baltimore have been placed. The city council, warmly sympathizing with you in your misfortune, officially requested that a meeting of the people might be called to devise ways and means to contribute our mite to alleviate the distress of Savannah, occasioned by the late dreadful conflagration. This meeting, at which I had the honor to preside as chairman, was very numerous and respectable—feeling hearts abounded—and it appeared to me that, if the ability of our citizens had been equal to their wishes, that they would of themselves have restored your city. A committee of five gentlemen of the most active and zealous, was appointed to wait upon the city council and request that the city, in its corporate capacity, would appropriate ten thousand dollars to your relief; as also a committee of four from each ward to solicit private donations in their respective wards.

The committee appeared before both branches

of the council; was received in the most respectful manner, and the subject of their proposal taken into immediate consideration; and the opinion of the council was, that they possessed no authority or power to appropriate the money as requested.—The means of relief of course rested upon the ward committees, who have collected and paid over the sum transmitted.

I can assure you, sir, the will of the people of Baltimore is, that you should have received from us many times the amount of the sum now sent; but we have been severely affected in the means to furnish it, by commercial embarrassments, common to all our cities, and by the prevalence of a deadly and malignant disease last autumn, which drew heavily on the disposition of the liberal and charitable at the time; and has since encumbered, us as a necessary consequence, with an unusual number of persons demanding relief and support of the benevolent; they having been by the fever deprived of the accustomed means of providing for the winter.* I can only add that what has been done was done with willing hearts and in the true spirit of brotherly love, which we hope will be received as an evidence of our disposition to relieve distress. Beseeching you to tender to the afflicted people of Savannah the best wishes and hearty condolence of the people of Baltimore, with which I most cordially unite, and feel great pleasure in being the agent on this occasion.

Most respectfully, I have the honor to remain, your obedient servant,

EDWARD JOHNSON,
Mayor of Baltimore.

Thos. U. P. Charlton, Esq. mayor of Savannah.

CITY OF SAVANNAH,

Police office—February 25th, 1820.

SIR—I have the honor, and I may with great sincerity add, the happiness, of acknowledging the receipt of your letter of the 15th Feb. enclosing a check on the branch bank of the United States for five thousand two hundred and thirty two dollars, the munificent contribution of our brethren of Baltimore, for the relief of the distressed people of this city.

The kind and affectionate manner used by you, sir, in conveying to me this donation, evinces a goodness of heart, and indeed a sympathy for the sufferers, that have obtained for you the private esteem and friendship of us all. Considering the circumstances under which our fellow citizens of Baltimore have been placed, their contribution exhibits a feeling of generosity, which might have been expected from the character they have always sustained—you have said, sir, it appeared to you, if the ability of your fellow citizens had been equal to their wishes, they would of themselves have restored our city.

This American-like sensibility is of itself a contribution worth a million—it brings us as countrymen and patriots closer together—it places Baltimore and Savannah almost in contact: prepared on every occasion to tender each to the other, the aid and salutations of friends and brethren.

In return for the good wishes and condolence of

* The mayor might have added that, at the time of raising the money for Savannah, we were called upon to relieve about 200 persons, chiefly women and children, thrown destitute upon us by the conflagration of the Patapsco cotton factory, at which they had been employed; and that a handsome sum was raised for their relief.

Ed. Rev.

the people of Baltimore, tender to them the grateful thanks of our inhabitants, and accept for yourself assurance of my high respect and consideration.

THQ. U. P. CHARLTON.

Mayor of Savannah,

Hon. Edward Johnson, Mayor of Baltimore.

While on this subject it may be well to note the following. At the meeting of the general committee of New York to forward the money collected for the relief of the sufferers at Savannah, the following resolution was adopted—

"Resolved, That it is the wish of the general committee that the money and goods to be remitted to Savannah be applied exclusively to the relief of all indigent persons, without distinction of color, who are dependent on their own industry for support, and who have been sufferers by the late fire at that place.

The mayor of New York, in forwarding the money, sent also a copy of the resolutions—on which the following proceedings took place.

In council, Savannah, Feb. 28, 1820.

The mayor having laid before the board the letter from the mayor of New York, enclosing the sum of ten thousand two hundred and thirty-eight dollars and twenty-nine cents, as the amount of the contributions of the citizens of that city, for the sufferers by the late fire; and also stating that certain goods were shipped for the use of the poor. And this collection appearing to be subject to conditions, in the mode and manner of its distribution, not annexed to any similar donation, and casting a suspicion on the views and objects of those appointed to distribute the charity fund,

On motion of alderman Harris, seconded by alderman Bourke,

Unanimously resolved, That the mayor of this city do thank the mayor of New York for his polite letter, and that he do return the money now received, and the goods, when tendered to him—council feeling it a duty they owe this city, to decline the acceptance of this money, or the goods.

Extract from the minutes: M. MYERS, C. C.

The mayor of the city of Savannah has accordingly returned the money to the mayor of the city of New York, accompanied by a letter explaining the reasons for declining to accept the donation, the nature of which the following extracts will shew:

"The donations of our fellow citizens of New York places our distressed people in the humble condition of paupers. It restrains, too, our respectable and intelligent committee in the exercise of a discretion, of which they ought not, and cannot be divested; and in the language of the resolution adverted to by you, is calculated also to awaken and put forth impressions not only dangerous to the tranquility of this section of the United States, but, in reference to the humanity of our citizens, grossly injurious and palpably incorrect. It is, in short, throwing among us the fire-brand of discord, and, if persevered in, will shake to the foundation the beautiful fabric of our liberty, and place in jeopardy the federal unity of our now glorious republic.

"Tribes and demagogues, who seek only their own aggrandizement, may be permitted to smile amidst the havoc their unprincipled ambition may create; but that a true hearted American, devoted as he ought to be, to the happiness and best interests of his country, should, under any metaphysical abstract notion of human rights, place in danger the union of these states, offering as they do the last and only rampart upon earth against the inroads and

aggressions of tyranny, is an impiety, madness and folly, without the apology of any reason, or any motive. It is a moral malady for which there can be no remedy—an infatuation, no analysis of the mind can explain."

The following letter was, at about the same time, published in the Savannah papers, and was considered as an evidence of the "temper and tone of the northern section of the country towards the people of the south."

Office of the American fire insurance company, Philadelphia, Feb. 17, 1820.

SIR—I have received your letter of the 7th instant, respecting the insurance on your house and furniture, in Savannah. In answer thereto, I am to inform you, that this company, for the present, decline making insurances in any of the slave states.

With respect, sir, I am your obedient servant,
EDWARD FOX.

—, esq. Savannah.

In consequence of the letter of the mayor of Savannah to the mayor of New York, it is stated that the people of Newark, N. J. who had collected about \$1000 for the relief of the people of the former, have resolved to return to the contributors, respectively, the sums which they have paid,

On the 13th inst. a resolution was offered in the legislature of Pennsylvania, to repeal the law granting 10,000 dollars to the Savannah sufferers. The ground of the resolution, as stated in its preamble, is, that "it is evident, by the late proceedings of the mayor and common council of the city of Savannah, in refusing the proffered donation of a sister state in money and other property to the amount of 12000 dollars, and directing the same to be returned, that their sufferings cannot be so extreme as to justify the remitting of the sum directed to be given by the above recited act."—The resolution was rejected by a vote of 49 to 38.

REPLY OF THE MAYOR OF NEW YORK.

New York, 12th March, 1820.

SIR—It is incumbent on me to acknowledge the receipt of your letter of the 28th ultimo, with an extract from the minutes of the proceedings of the council of Savannah, and the return of the contributions of this city, remitted to you for the relief of the sufferers by the late fire at Savannah.

It is not with less surprise than regret, that it is found that the wish expressed in the resolution I transmitted to you, has excited feelings so opposite to those which were anticipated. I think it my duty to mention to you some facts which I trust will satisfy every one that bad motives have been most unjustly imputed to those concerned in this transaction on our part.

Immediately previous to the receipt of the circular of the mayor of Savannah of the 13th of Jan. last, the citizens of New York had contributed several thousand dollars for the relief of the sufferers by an extensive conflagration in the city of Schenectady. While the collections were making for the benefit of Savannah, a report was spread, and was at that time believed, though now ascertained to have been unfounded, that the money intended for the needy sufferers of Schenectady had been distributed among all who had property consumed by the fire in proportion to their respective losses. It was readily perceived that a distribution on this principle might give the rich much and the poor little. It was also observed by many that the circular of the mayor of Savannah of the 13th of January, seemed intended, by an eloquent display of the

former advantages and splendor of the city, to ask aid for its restoration, rather than to awaken our sympathies for the distress of those who must have been left destitute by the late calamity.— It must also be remarked, that certain resolutions, of the 27th January, of the committee of Savannah, had reached us, and their invitation to lot-holders who were in want of small sums to build, to call on the committee for aid, induced a very general apprehension that the distribution would be made in Savannah on the principle which it was supposed had been adopted in Schenectady. The disposition excited by these circumstances was so unfavorable to the collections, that many of the collectors gave assurances to donors, that they would endeavor to induce the committee to take measures which might prevent the donations from being disposed of contrary to the wish of the contributors. When the committee met, the resolution which has been the subject of such severe animadversion, was proposed and unanimously passed without much reflection or consideration.

I must beg you to observe, that the resolution imposes no restriction or condition. The agents of the donors, in conformity with what they believed to be the desire of their constituents, merely presumed to express a wish as to the application of their donations.

This, sir, is the origin of the resolution which has so unexpectedly given offence. I can assure you it was not dictated by any spirit "imbibed and caught from higher authority." And I am very certain, that there is not a man that voted for it, who will not be astonished to find, by doing so, he has subjected himself to the charges of insulting the committee of Savannah and its citizens, of throwing a firebrand among them, and of being a traitor and demagogue, disposed to smile amidst havoc created by unprincipled ambition.

I do persuade myself, sir, that if, after due consideration and explanations, your fellow citizens should understand your letter to me, and perceive the injurious imputations it conveys, they will think there is a severity in its language which even its eloquence cannot excuse.

I have called together the committee of which I was the agent in making the remittances to you. I sincerely hope they will adopt measures which may allay every feeling inconsistent with those sentiments which all Americans should cherish towards each other.

Please to receive assurances of the respect with which I have the honor to be, your obedient humble servant,

CADWALLADER D. COLDEN.

The honorable Thomas U. P. Charlton,
Mayor of Savannah.

Now, really, it appears to me, as a disinterested person, that this affair between New York and Savannah has taken an unjustifiable turn. I was one of the committee appointed at a public meeting of the citizens of Baltimore to wait upon the mayor and city councils, and request a donation of \$10,000 from the funds of the city, for the relief of the people of Savannah. If we had obtained it, it is not at all probable that any direction as its distribution would have been thought of by either of us,—but I am certain, that if a recommendation, such as that suggested by the general committee at New York, had been proposed, it would not have occurred to me as deserving such a return as has been made to it and assuredly, I could not have supposed that it had any thing to do with "traitors and demagogues,"

or a "dissolution of the union!" Public feeling must have been exceedingly stirred up at Savannah, by the Missouri question, to have caused such a warmth of proceeding. It would have been amply sufficient to have returned the money, on the ground that the condition of its gift cast the shade of a suspicion on the discretion and impartiality of those whose business it was to distribute it at Savannah; which there is no reason to believe that they merited.

The letter from Mr. Fox, an officer of a fire insurance company at Philadelphia, is very imprudently worded, to say the least of it—yet the probability is, that nothing more was meant than to express the determination of the company to refrain from insurances, on account of the greater danger of loss in the "slave states," as they are roughly called.* Certainly, they have comparatively suffered much more by conflagration than the other states—in part, perhaps, from the general construction of their buildings, but more from the want of proper apparatus and free labor to extinguish fires. Maryland is a slave holding state,—yet I venture to say that Mr. Fox would gladly insure houses in Baltimore,—where, such is the perfection of our engine and hose companies, so great the abundance of voluntary laborers, and so large a supply of water, that, for many years past, with two or three exceptions, on account of gales of wind, our fires have been confined to the houses in which they nearly originated; and these, even if built of wood, were seldom burnt down, unless located at a distance from the mass of the population. But we have companies of our own, able and willing to insure more houses than are offered to them, and Savannah should have them also for herself.

Capt. Downes and lord Cochrane.

The following correspondence took place between Capt. Downes, of the United States frigate *Macedonian*, now in the South seas, and lord Cochrane, commander of the Chilean fleet:

Chilian States' frigate O'Higgins,

Employed in the blockade of the ports of Peru, Nov. 9, 1819.

SIR: I beg leave to enclose you some extracts from the Law of Nations, which guides my proceedings. I submit them to your inspection on our first meeting, it being my sincere desire to avoid, as far as is consistent with my duty, any altercation or misunderstanding between the states of North and South America, whose interests and feeling ought to be the same.

I shall esteem myself honored by any observations you may judge proper to favor me with in order that, so far as is consistent with the rights of the independent state of Chili, your wishes may be complied with.

I have the honor to subscribe myself, sir, your most obedient humble servant, COCHRANE.

Captain DOWNES,

U. S. frigate Macedonian.

[EXTRACTS.]

I call those neutrals, who do not, by treaty, owe any thing to either party; for if they do, they are federates, or confederates, and not simply friends.—*Bynkershoek.*

A nation, that, without any other motive than the prospect of gain, is employed in strengthening my

*The repeated attempts to fire Petersburg, in Virginia, may have contributed to the resolution of this company. We cannot suppose that a monied corporation, in a case like this, was operated upon by political views.

enemy, without regarding how far I may suffer, is certainly far from being my friend, and gives me a right to consider it as my enemy, and treat it as the associate of such enemy.—*Vattel*.

No one doubts that enemy's property, found in the ships of friends, may be taken and seized, because one enemy's power over the property of another, his enemy, wherever he finds it, is uncontrollable.

The effects belonging to an enemy, found on board a neutral ship, are seizable, by the rights of war.—*Fattel*.

Enemy's goods, found on board of the ships of friends, if there put by the consent of their owners, may make the ship lawful prize.—*Burlamaque*.

All commerce is entirely prohibited with a besieged town; and if I lay siege to a place, or only form the blockade, I have a right to hinder any one from entering, and to treat as an enemy, whoever attempts to enter, or to carry any thing to the besieged.—*Vattel*.

*U. S. frigate Macedonian,
Callao bay, Nov 9th 1819.*

My Lord.—I have had the honor to receive your lordship's communication of yesterday, enclosing some extracts from the Law of Nations. I feel, with yourself, a sincere desire to avoid any altercation or misunderstanding that may involve the states of Chili and North America in difficulties. Your lordship appears desirous that I should make some observations upon the extracts which you were pleased to send me. I have only to remark, that I have received no instructions from my government, that will enable me to give an opinion as to your lordship's proceedings. I, however, have taken the liberty to enclose a few extracts from the opinions of sir William Scott.

I have the honor to be, your lordship's most obedient servant, JNO. DOWNES.

*To the right hon. lord Cochrane,
admiral and commander in chief
of the Chilean naval force, &c.*

Extracts from the Opinions of sir William Scott:

Tribunals of justice have uniformly required it to be established, by clear and unequivocal evidence, that the party proceeded against, has had due notice of the existence of an actual blockade.

Secondly. It is not the accidental absence of the blockading force that will be sufficient to remove the blockade. But, if the relaxation happen, not by such accident, but by the remissness of the cruisers stationed to maintain the blockade, then it is impossible for a court of justice to say that the blockade is actually existing.

Thirdly. The very notion of a complete blockade includes, that the besieging force can apply its power to every point of the blockaded state. If it cannot, there is no blockade.

Fourthly. It is at all times most desirable that the blockade should be declared in a public and distinct manner, instead of being left to creep out, from the consequences produced by it.

Extract of a letter from a gentleman on board the frigate Macedonian, dated

PANAMA, Jan. 8.

"We are last from Lima, which place I am much pleased with. The city is situated near the foot of a range of mountains on a very extensive plain, in a good state of cultivation, about six miles from Callao, the port of entry; it contains about sixty thousand inhabitants, who are generally wealthy,

hospitable, and disposed to cultivate the acquaintance of strangers particularly our countrymen, who are much more popular than any other foreigners.

"The viceroy behaved in a very friendly manner, and appeared highly gratified to see us in his port. The morning captain Downes called on him, he was received with a great deal of distinction, and pressed to remain and take a family dinner with him—a friendly deviation from the usual etiquette, never known here before. The viceroy entertained captain D. in state afterwards. At the request of capt. D. he gave up two American prisoners, captured in a Chilean privateer, Mr. Bond of Baltimore, and Mr. Bradshaw of Philadelphia; and he also promised, provided he would again return to his port, to deliver the rest, captured under similar circumstances.

"We have at last fallen in with lord Cochrane, and I assure you he was exceedingly polite, although he had threatened to sink our ship, if we attempted to enter the port of Callao, while his squadron was off there. To let him see that we apprehended no danger from his threat, we hove to, and allowed him to board us, although we might have run in and avoided him. The boarding officer came with his lordship's compliments, and requested to know how long we were from Valparaiso, and if any news; the captain informed him, and at the same time desired him to say to lord Cochrane, if he had any further communication to make, he wished him to do it as soon as possible, as he was anxious to get to his anchorage before night. As soon as the boat returned, he ran up alongside of us, hailed, and hoped that captain D. was very well; the same civility was returned. He then made some complimentary remarks on our passage, which had been very short, wished us safe to our anchorage, and sheered off his course. Since which time we have had no communication with him: having raised the blockade a few days after our arrival, he went down the coast plundering, as usual. The officers and crew of the *Macedonian*, were all at quarters, matches lighted and everything ready for action, as it was the determination of captain Downes to have fought his way, provided his ship would float in. Every officer and man on board felt exasperated at his threat to exclude us from the port, when the English men of war were permitted to enter and depart, without molestation—we had a right to the same advantage, and were determined to possess it, "peaceably if we could, but forcibly if we must." His lordship has not accomplished his objects at Callao, nor will he ever, in my opinion, the place is much more strongly fortified than I had any idea of, from the representation I had of it. The people appear satisfied under the present government, and completely disgusted with that of the Chilean, in consequence of the number of outrageous depredations lord Cochrane has committed with his squadron on their defenceless towns along the coast.

"All military operations in Chili, at present, are at a stand, and the only object in view, was their naval expedition, in the success of which they will be sadly disappointed, as they have not the means again to equip the squadron, which they could not have fitted out, had not the English merchants contributed so largely towards it.

"The rapid movements of general Bolivar have caused great alarm in Peru. Quito, one of the principal towns in Upper Peru, was expected to fall daily, when he will make a rapid descent on Guayaquil, the key to Lower Peru—where he will meet with but little opposition, nor any of consequence,

until he arrives in the neighborhood of Lima; they may be obstinate for a little time, but they must eventually fall.

"This place is small, but the most cleanly that I have seen on the coast. The people resemble the Europeans in manner and dress. Captain Downes gave a ball on board, on new year's night, when we had a very fair opportunity of judging of the beauty of the place, and I assure you, it is not inconsiderable; the ladies are very gay, and disposed to be very sociable. This is the pleasant season here, and there are balls every night. The Macedonian will leave this in a few days for St. Blass, and probably touch at Acapulco on her way; after transacting the necessary public business, go to Valparaiso to refit for our return home." — *Gaz.*

Foreign Articles.

FRANCE.

It is stated that four of the ministry have been imprisoned, as accessory to the assassination of the duke of Berri.

Paris papers of the 19th of Feb. are received.—In addition to the new project of an election law, the king has proposed one to permit the arrest of any person, by a writ signed by three ministers, (in substance similar to the old *lettres de cachet*), of any individual accused of plots or conspiracies against the king, the rest of the royal family, or the safety of the state. It, however, provides for his speedy examination. He has also proposed a law which, if passed, will entirely destroy the freedom of the press. It was thought that these projects would be rejected.

SPAIN.

On the 16th of Feb. intelligence was received at Gibraltar, that the revolutionists were in possession of Algeiras and St. Roque and were advancing on Malaga. Their army amounted to 21,000 men, well disciplined, and who conducted themselves with great moderation, injuring no one in person or property. They were welcomed every where with acclamations, and gathering strength every moment. The royal troops were joining them. They possess all the strong holds round Cadiz, and it was thought supplies of money, with an abundance of munitions and provisions. Several vessels of war had fallen into their hands at Carracas. They had released a number of persons who were imprisoned. *The revolutionary spirit seems to be general through Spain.* Some of the king's money had been captured by the patriots at Algeiras. It is said that they have entered Malaga without opposition.

The following is a handsome specimen of the Spanish stile—

Letter addressed by his majesty, to the most noble, most high, and most heroic city of Cadiz.

The fresh public testimonies of attachment and fidelity to my royal person, which have just been evinced to me by the inhabitants of my good city of Cadiz, have excited in my paternal heart, the necessity of manifesting to them how much I am satisfied with their loyal sentiments. He who loves you as a father, and who is also your king, will always be happy in causing his satisfaction to be made known to you.

[Signed]

FERDINAND.

Madrid, 22d Jan. 1820.

To my dearly beloved city of Cadiz.

Later. As late as the 17th of Feb. Cadiz was not possessed by the patriots—among them is said to be a number of the nobility and priests.

We have a series of proclamations issued by Quiroga, as "chief and organ" of the patriot army. They are well written, full of spirit, and manifest a settled plan of operations. *A complete revolution is aimed at—and the full belief is, that the constitution will be established.*

Two government vessels have arrived at Gibraltar, from Malaga, with a number of public characters on board, flying from the patriots. The division of their army, under Riego, was received with open arms, after a slight skirmish with the famous, or infamous, O'Donnel, and another with the governor of Malaga, in both of which the royal troops fled in every direction.

SOUTH AMERICA.

The city of St. Juan de Pastos, only 140 miles north east of Quito, was in the possession of the *Columbian republic*. It was believed that the whole province of Quito would soon be with the patriots.

The government of the united provinces of Venezuela and New Granada, appears to be well established, and all things seem to be going on prosperously. Agents were immediately to be sent to the United States and Europe, M. Torres is the regular minister to the latter; but Dr. Zea and M. Salazar, both of distinguished talents, are daily expected to arrive in the former.

A letter from Buenos Ayres, dated 4th of Jan. says—"A Chili mail is just arrived, which brings the pleasing news of Lord Cochrane's having destroyed the three Spanish ships of war which proceeded in May for Lima. Enclosed you have the Gazette account of the first essay, which proved so unfortunate—and I am sorry to inform you, that in an action, between the vessels of this government and those of the Monteneros and Artigas, your friend Don Angel Hubac had both his limbs shot away, and has since died. The action was severe on both sides—it took place off San Nicholas.

The British Admiral, sir Thomas Hardy, is now here with a squadron of ten ships—viz. 2 of the line, 6 frigates and 2 sloops. What it all means, God knows. The 74's are at Montevideo.

Another account says that Hardy's squadron consists of thirty-four vessels, all told.

CONGRESS.

IN THE SENATE.

March 24.—The senate met to-day, but did not sit long. One or two reports were received from committees, and, at an early hour, (for the purpose, no doubt, of allowing the members an opportunity of attending the funeral of commodore Decatur, though nothing was said on the subject,) The senate adjourned.

March 27. The senate were occupied to-day almost exclusively in the consideration of the bankrupt bill. After adopting some amendments in addition to those heretofore noticed, the bill was reported, and all the amendments agreed to in committee were concurred in by the senate. [Having got through the details of the bill, its fate in this branch of the legislature will probably soon be determined.]

March 28. The senate took up, in committee of the whole, Mr. Van Dyke in the chair, the bill from the other house, making appropriations for the military service of the present year, together with the amendments reported thereto by the committee on finance of the senate.

These amendments propose; 1st. to add 150,000 dollars to the appropriation for the clothing for the army; and 2d. to increase the appropriation for the

quarter master general's department, from four hundred and fifty, to five hundred thousand dollars—(this latter involving the question whether the Missouri expedition should be limited to the Council Bluffs, or authorized, by appropriation, to be extended to the Mandan villages, as originally contemplated by the executive.)

Mr. Sanford detailed the reasons on which the committee had reported the augmentations of the appropriations. After much debate, the first was agreed to, and the further consideration of the latter postponed till to-morrow. After some time spent in the consideration of executive business, The senate adjourned.

March 29. A message was received from the president of the United States, transmitting, in pursuance of a resolution of the 1st ult. a report of the secretary of state, respecting the late treaty with Great Britain, relative to the restitution of slaves; and the message and report were read.

Mr. Johnson, of Ken. submitted the following resolution, for consideration:

Resolved, That the committee on the District of Columbia be instructed to enquire into the expediency of allowing to the said district, a delegate in Congress, upon a footing with the delegates from the several territorial governments.

[Mr. Johnson supported his resolution with a speech of some length. It was laid on the table.]

The senate, on the motion of Mr. Elliott, resumed the consideration of the bill to remit the duties on certain goods consumed by the late fire at Savannah.

After a speech from Mr. Elliott, the bill was ordered to be engrossed for a third reading—ayes 27.

The house resumed the consideration of the military appropriation bill—the question on increasing the appropriation for the quarter-master-gen's department, from 450,000 to 500,000 dollars, being still under consideration—

Several gentlemen spoke for and against an increase of the appropriation. It was finally agreed to, by yeas and nays, as follows:

YEAS—Messrs. Dana, Eaton, Edwards, Johnson, of Ken. Johnson, of Lou. King, of Ala. Lanman, Leake, Lloyd, Logan, Lowrie, Noble, Otis, Parrott, Pinkney, Roberts, Sanford, Stokes, Thomas, Trimble, Walker, of Alab. Walker, of Geo. Williams, of Ten. Wilson—24.

NAYS—Messrs. Barbour, Brown, Burrill, Dickerson, Elliott, Gaillard, King, of N. Y. Macon, Mellen, Morrill, Palmer, Pleasants, Ruggles, Smith, Taylor, Tichenor, Van Dyke, Williams, of Miss.—18.

Some discussion took place on other points, after which,

The amendments were ordered to be engrossed, and, with the bill, to be read a third time.

The engrossed bill appropriating the representatives from the states of Massachusetts and Maine in the next congress, was read a third time, passed, and sent to the other house for concurrence.

The senate then took up, and spent considerable time on the bill for the better organization of the treasury department, (providing for the more prompt recovery of debts due the United States, &c.) after which, The senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, March 24. Mr. Newton laid on the table sundry statements respecting the extent of our trade with the British, West Indian and North American colonies, which were referred to the committee of the whole, to whom the bill on that subject was referred.

The routine of morning business having been gone through—

Mr. Randolph rose, and, after a speech of some length, principally growing out of the remark of Mr. Taylor, on the preceding day, on the manner of the death of the late commodore Decatur, moved a resolution to this effect.

"That the speaker, officers, and members, of this house will attend the funeral of the late STEPHEN DECATER, esq. of the U. S. navy, from his late residence, at 4 o'clock this afternoon."

Mr. Randolph's remarks were of too much length to be reported. As soon as the motion was stated from the chair—

Mr. Holmes rose, apprehending, he said, that the proposition might not receive an unanimous vote; fearing to hear either yea or nay on such a question; and at the same time wishing to give every gentleman of the house an opportunity of indulging his own inclination, on this solemn and melancholy occasion, he moved that the house do *now* adjourn.

This motion the reader is probably aware, supercedes all others, and precludes all debate.

It was decided affirmatively, without debate, and The house adjourned.

Saturday, March 25. Mr. Lemuel Sawyer, a member from North Carolina, appeared this day, was qualified, and took his seat.

Mr. Smith, of Md. from the committee of ways and means, reported a bill further to regulate the entry of merchandize imported into the United States from any adjacent territory.

On motion of Mr. Southard, it was

Resolved, That the committee on manufactures be instructed to enquire into the expediency of furnishing the trading houses established by the U. States, for carrying on trade with the Indian tribes, with articles of American manufacture.

On motion of Mr. Tracy,

Resolved, That the secretary of war be directed to transmit to this house a statement shewing the amount and costs (including transportation and other charges,) of the goods furnished annually to each factory or Indian trading house, since the peace of 1815: specifying also, the kind and quantity of furs, peltries, or other property annually received since that period at each factory; also the amount of the sales of such furs, peltries or other property, and the balance, (if any,) now due, from such sales, to the government.

A bill to authorize a subscription for certain copies of the 11th and 12th vols. of Waite's collection of state papers, was postponed indefinitely—or rejected, 131 to 32.

The committee then proceeded to the bill to amend the act providing for the publication of the laws of the U. States in newspapers, &c.

After debate—this bill was ordered to be engrossed for a third reading.

Monday, March 27. The speaker presented the memorial, remonstrance and protest of the senate and house of representatives of the state of Georgia; detailing several violations of the territorial rights of that state in treaties concluded between the United States and the Creek and Cherokee Indians; as also violations of the articles of agreement and cession of 1802, and remonstrating and protesting against an article in the treaty concluded in 1817, between the Cherokee nation and the United States, which invests a *fee simple* right to lands in certain Indians of that nation, and soliciting that commissioners may be appointed to treat with the Creek and Cherokee nations of Indians, for further con-

sions of the territory for the use of Georgia, which memorial, remonstrance and protest, was ordered to lie on the table.

The speaker also presented a petition of Benjamin G. Bullkey, setting forth that, in the year 1800, he preferred to the senate of the United States, certain charges of corruption in the post office department, which were not fairly and fully examined, by which he alleges to have sustained great injury, and praying that the said charges may now be enquired into, to the end that justice may be rendered him; which petition was also ordered to lie on the table.

The speaker laid before the house the following report, which was referred to the committee on foreign affairs.

The secretary of state, to whom, by a resolution of the house of representatives of the 7th of February last, the petitions of Samuel G. Perkins and others, merchants of Massachusetts, and of William Patterson and others, merchants of Baltimore, were referred, has the honor of submitting to the house the following report:

In the month of January, 1817, in consequence of a memorial to the president of the United States from sundry persons, interested in the claims set forth in these petitions, Septimus Tiler was appointed an agent, to proceed to the island of Saint Domingo, for the purpose of claiming the indemnity which appears to be justly due to the petitioners, for property so unjustly taken from them. He accordingly proceeded thither; but was denied access to the government of Christophe, upon the alleged ground of informality in the style of his powers. Mr. Tyler did not live to return to the United States.

In the spring of the year 1818, a second attempt was made to send an agent to make the demand, and authority was given him to present himself in a manner, which there was reason to expect would have discarded every question of form. The result, however, was a refusal, again, to receive him. A formal recognition of the kingdom of Hayti not being deemed expedient, no further measures have been found practicable, on the part of the executive, in the case; those suggested by the memorialists being within the exclusive authority of the legislature.

JOHN QUINCY ADAMS.

Department of state, Washington, March 20, 1820.

Mr. Williams, of North Carolina, from the committee of claims, who were, on the 28th ult. instructed to enquire into the expediency of providing for the compensation of losses occasioned by the impressment and application of private property to the military service of the United States in the late Seminole war, made a report, concluding with the following resolution:

Resolved, that it is inexpedient to pass any general law on the subject, and that the committee be discharged from its further consideration."

The report was agreed to.

Mr. Williams, also, from the committee of claims, to whom was referred the senate's bill for the relief of the officers and volunteers engaged in the late war with the Seminole Indians, made a report thereon, concluding with a recommendation that the bill be indefinitely postponed.

This report was opposed by Mr. Jones, Mr. Allen, and Mr. Cannon, of Ten. Mr. McLean, of Ken. Mr. Warfield, of Maryland, Mr. Stevens, of Connecticut, and was supported by Mr. Mercer, of Virginia, Mr. Culbreth, of Maryland, and Mr. Williams and Mr. Culpepper of North Carolina.

[In noticing the debate, the National Intelligencer observes—It is sufficient now generally to state, that the compensation allowed for the use of these horses was said to be intended to cover also the risk of their loss; as was evident from the fact, that the allowance for the use of the horse, was greater than that allowed to the rider of him for his services, and was at the rate of double the average cost of human labor in that country, &c. On the other hand, it was said that, when these volunteers entered the service, there was certainly an implied contract that the United States should furnish their horses with forage, and should not cause the horses to be rode to death by forced marches; and that the losses in question were caused in this manner, &c. that the rule which had been applied to the Kentucky volunteers, the Tennessee volunteers had a right to expect to be also applied to them.

Other considerations mingled in the debate. Mr. Culbreth, for example, was in favor of the postponement of the bill, because he believed, the persons embraced in the bill to have been unconstitutionally in service.

The question on indefinite postponement of the bill was decided, by yeas and nays, in the negative, 84 to 73.

The bill was then referred to a committee of the whole, such a reference being required by the rules of the house, as the bill contains an appropriation.

A message from the president was received, and referred to the committee on foreign affairs—see page 84.

The engrossed bill to amend the act providing for the publication of the laws of the United States was read a third time; and the yeas and nays were ordered on its passage.

[This bill proposes to reduce the number of the publishers of the laws to one for every state and territory, and to reduce the allowance for the execution of the work, to about one half of its present amount.]

Hereupon a considerable debate took place—it turned on the question whether the object was worth a continuation of the present expenditure, which it is supposed the passage of the bill will reduce by three-fourths of its amount.

Finally, the bill was passed by a close vote—79 to 78, and sent to the senate for concurrence.

Tuesday, March 28. The house took up and proceeded to consider the resolution submitted by Mr. Taylor on the 25th inst. prescribing an order for the consideration of business referred to committees of the whole; and the said resolution being read at the clerk's table, and modified by the mover, was agreed to by the house as follows:

Resolved, That the business referred to the committee of the whole house shall be called for consideration in the following order:—

1. Private bills which have passed the senate, and have been reported favorably by a committee of this house.

2. Private bills reported by committees of this house.

3. Bills and resolutions of a public nature.

4. Bills which have passed the senate, and have been reported against by a committee of this house.

5. Reports unfavorable to petitioners.

Resolved, That the clerk, under the direction of the speaker, do arrange the business in the preceding order for to-morrow.

The house took up and proceeded to consider the bill from the senate, entitled "an act further to suspend for a limited time the sale or forfeiture

of lands for failure in completing the payment thereon."

Ordered, that the said bill be read a third time to-morrow.

On motion of Mr. Williams, of N. C.

Resolved, That, when this house adjourns, it will adjourn to meet at 10 o'clock in the forenoon.

Mr. Nelson, of Va. moved, that the house do now proceed to consider the resolution submitted by him on the 23d inst. for the appointment of a joint committee to consider and report what business is necessary to be done before the close of the present session;

And on the question, will the house now proceed to consider the resolution?

It was decided in the negative.

On motion of Mr. Abbott,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of passing a law, pointing out under what circumstances, and by what means, private property may be taken for public use, under the emergency of war, and regulating the manner by which just compensation may be made for the same; also to prescribe the manner in which soldiers may be quartered in any house, without the consent of the owner, in time of war.

The house having resolved itself into a committee of the whole, on the state of the union, spent some time in considering the resolution offered by Mr. Cobb, on the 24th of January last, proposing an amendment to the constitution of the U. States, to prohibit the appointment of members of congress to offices, with amendments; as, also, their agreement to the resolution of the senate, "proposing an amendment to the constitution of the U. States, as it respects the choice of electors of president and vice-president of the United States, and the election of representatives in the congress of the United States."

The house took up and proceeded to consider the report of the committee of the whole upon the state of the union: whereupon it was

Ordered, that the said resolutions severally lie on the table.

On motion of Mr. Smith, of Md.

Resolved, That the committee on the post offices and post roads be instructed to enquire into the expediency of affording some pecuniary relief to the widow and children of John Heaps, mail carrier, killed by the persons who recently robbed the U. States' mail, near Baltimore.

A message in writing was received from the president of the United States, by Mr. J. J. Monroe, his secretary, which is as follows:

To the house of representatives.

I transmit to the house of representatives, in pursuance of their resolution of the 31st of January last, a report from the secretary of the treasury, with the documents which accompanied it.

JAMES MONROE.

Washington, 28th, March 1820.

The said message was read, and, together with the report therein communicated, ordered to lie on the table.

The speaker laid before the house a letter from the secretary of the navy, transmitting sundry statements in relation to the privateer pension fund, which have been prepared in obedience to the resolution of the 15th inst. which was ordered to lie on the table.

The remainder of the day was chiefly spent on private claims.

[During the sitting, Mr. Randolph offered a motion to the following effect—

"That Gales & Seaton, editors of the National Intelligencer, be excluded from the hall of this house as reporters."

The ground of this proceeding is an alleged inaccuracy in the report of the preceding Thursday's proceedings, when Mr. R's motion respecting com. Decatur was before the house, about which he addressed the following note to the editors—

"Messrs. Gales & Seaton—On Thursday last, I took particular notice that there was no reporter in the house. I am, therefore, surprised as well as shocked, to find the report (such as it is) of the proceedings relative to the late Stephen Decatur, esq. of the U. S. navy, and request to be informed how it found its way into your paper.

Your obedient servant,

J. RANDOLPH,
of Roanoke.

Saturday, March 25.

They replied thus—

Sunday, March 26, 1820.

Hon. John Randolph.

SIR: The report, to which you refer in your note of the 25th, was derived from sources entitled to high credit: particular care being taken not to impute to you any language which might be subject to misinterpretation. Your speech on the following day was reported, and will be submitted to you for revision, when transcribed.

Very respectfully, your obedient servants,

GALES & SEATON.

In explanation, they further state how it happened that no reporter was present—that they were especially careful to collect what Mr. Randolph had said, &c. and are at all times willing to correct errors. Mr. Strother proposed to amend Mr. R's motion by adding words to the following effect—

"Unless the information required by the gentleman from Virginia, is furnished by to-morrow morning."

Whereupon, (say the editors) we understand Mr. R. at the suggestion of a friend, withdrew his motion, to give an opportunity, before renewing it, to us to disclose to him the names of those who furnished us with an account of the proceeding referred to in his note as above.

Messrs. Gales and Seaton observe—"With respect to the admission into the hall of representatives, it is a privilege to which, we trust, we give its due importance. But, were it ten times more valuable than it is, the menace of exclusion from the hall, would not induce us to swerve, on this occasion, from our duty—which is, to resist every attempt, from whatever quarter, to invade the PRIVILEGES OF THE PRESS.

It will be merely decorous in us voluntarily to exclude ourselves from the hall, until the question on Mr. Randolph's motion is settled, if it is to be settled at all, by a vote of the house.

We shall endeavor, however, to give our readers an idea of what is going on there meanwhile; and, if we do not give the speeches of the members, we shall at least have the satisfaction of being sure that we have not mistaken their meaning."

Wednesday, March 29. Mr. Storrs, from the select committee to whom had been recommitment the bill to amend the revolutionary pension law, reported a bill for that purpose—its provisions are as follows:

No person, receiving a pension under the act of March, 1818, shall continue to receive the same after the 4th March, 1820, unless he shall take, in the manner prescribed, the following oath or affirmation, to wit: "I, A. B. do solemnly swear (or affirm,

as the case may be,) that I was a resident citizen of the United States on the 18th day of March, 1818; and that I have not since that time, by gift, sale, or in any manner whatever, disposed of my property, or any part thereof, with intent thereby so to diminish it as to bring myself within the provisions of an act of congress, entitled an act "to provide for certain persons engaged in the land and naval service of the United States, in the revolutionary war," passed on the 18th day of March, 1818, and that I have not, nor has any person in trust for me, any properties or securities, contracts, or debts due to me, nor have I any income other than what is contained in the schedule hereunto annexed, and by me subscribed," nor until such person shall have delivered or caused to be delivered, to the secretary of war, a copy of the aforesaid schedule and oath or affirmation, certified by the clerk of the court to which the said schedule was delivered, together with the opinion of the said court, also certified by their clerk, of the value of the property contained in the said schedule: *Provided*, That, in every case in which the pensioner may be insane, the court may receive the said schedule without the aforesaid oath or affirmation, from the committee or other person authorised to take care of such insane person.

The 2d section enacts a penalty for perjury—and the 3d authorises the secretary of war to strike from the list of pensioners all persons who shall not, in his opinion, be in such indigent circumstances as to be unable to support himself without the assistance of his country.

The bill was twice read and committed.

After disposing of a private claim—

Mr. *Randolph* rose, and, after a speech of upwards of an hour in length, submitted the following resolution:

"*Resolved*, That Gales and Seaton, editors of the National Intelligencer, be excluded from this house as reporters."

Mr. *Strother* and Mr. *Pindall* made several observations, which were not heard by the person giving this sketch.

Mr. *Brush*, of Ohio, however, rose, and with some warmth, defended the persons against whom the proposition was directed, on the ground that there was no charge brought against them, without which he could not condemn or pass censure, upon the meanest individual in the land; and called upon Mr. R. to put in a specification of his complaint.

Mr. *Randolph* did so, and ultimately modified his proposition, so as to read as follows, supporting it at the same time in a speech of considerable length:

Resolved, That Gales and Seaton, having published an incorrect report of the proceedings of this house of the 23d, not from their own view and hearing thereof, but on the representation of some unknown person, whose name they have refused to give, when thereto required by a member from Virginia—

Therefore, Resolved, That, unless they give up the author of such report, Gales and Seaton, editors of the National Intelligencer, be excluded from this house as reporters of the proceedings thereof.

Mr. *Pindall* spoke at considerable length on the subject; after which

The question on the above modified proposition was decided by yeas and nays, as follows:

Yeas—Messrs. Bayly, Floyd, Nelson, Va. Pindall, Randolph, Rober. son, B. Smith, Va. Strother ..8

[The nays were one hundred and forty! It is not worth while to record them.]

So Mr. *Randolph's* motion was rejected, and the house adjourned.

THURSDAY'S PROCEEDINGS.

The senate passed a resolution fixing the 24th inst. (April), as the day on which congress should adjourn, by yeas and nays—yeas 21, nays 20.

After much proceedings on the bankrupt bill—the question was taken on ordering the bill, as amended, to be engrossed and read a third time, and was decided in the negative, by yeas and nays, as follows:

Yeas.—Messrs. Burrill, Dana, Dickerson, Elliott, Gaillard, Hunter, Lanman, Mellen, Parrott, Pinkney, Roberts, Sanford, Stokes, Tichenor, Van Dyke. —15.

Nays.—Messrs. Barbour, Brown, Eaton, Johnson, of Kentucky, Johnson, of Louisiana, King, of Alabama, King, of New York, Leake, Lowrie, Macon, Morril, Otis, Palmer, Pleasants, Ruggles, Smith, Taylor, Trimble, Walker, of Alabama, Walker, of Georgia, Williams, of Mississippi, Williams, of Tennessee, Wilson.—23.

So the bill was rejected.

In the house of representatives. Sundry resolutions were submitted, &c. which shall be noticed hereafter, as thought necessary. The bill from the senate to suspend for a limited time the sale or forfeiture of lands, for non-payment of monies due thereon, was passed, after considerable opposition. Much other business was transacted, not at present important to notice.

On motion of Mr. *Lowndes*, it was

Resolved, That the secretary of the department of the navy, be directed to inform this house whether the commander of the Ontario, during her late cruise in the Pacific ocean, received any present from the viceroy of Lima, and, if he did, what disposition has been made thereof; whether he received on board the Ontario any citizens or subjects of a foreign power, and any moneys or effects belonging to foreign subjects or citizens to be transported from one foreign port to another; if such foreign subjects were so received, whether any of them were in the military service of governments engaged in war; if any money or effects were so transported, whether any freight was received on that account; and whether any, and what instructions have been given by the department of the navy, respecting the transportation, in public ships of the United States, of passengers, money, or effects.

☞ The following resolutions were submitted by Mr. *Clay* [speaker] to the committee of the whole on the state of the union, on Tuesday last, and ordered to be printed—

1. *Resolved*, That constitution of United States vests in congress the power to dispose of the territory belonging to them, and that no treaty, purporting to alienate any portion thereof, is valid without the concurrence of congress.

2. *Resolved*, That the equivalent proposed to be given by Spain to the United States, in the treaty concluded between them, on the 22d day of February, 1819, for that part of Louisiana lying west of the Sabine, was inadequate; and that it would be inexpedient to make a transfer thereof to any foreign power, or to renew the aforesaid treaty.

CHRONICLE.

Com. Decatur. A general order has been issued from the navy department, directing the officers to wear crape on their left arm for the period of thirty days, as a testimony of respect for the late commodore Decatur.

It is intimated to us that the cause of the quarrel

by which the nation lost DECATUR, has not been correctly stated—but we are not informed as to what is the truth of the matter.

☞ The National Intelligencer of yesterday informs us, that the correspondence which led to the late unfortunate duel, is expected to be published on Monday next.

Incuriaries. Numerous attempts have been made to fire several of our cities.

Philadelphia. On Tuesday morning last, the convicts confined in the state prison at Philadelphia, made an united and very furious attempt to escape. They succeeded in making their way into the yard, to the amount of about 450 in all, and endeavored to force the gates. It was nearly three hours before they were quelled, during which they did much damage and injured several persons by throwing stones, &c. Finally, they were reluctantly fired upon, one of them killed and 3 wounded—when, seeing escape impossible, from the military who surrounded the prison, they gave up the unprofitable contest, and retired to their respective apartments, in which they were fully secured.

Militia of the United States.—The president yesterday transmitted to congress, the annual abstract of the returns of the militia of the United States. The aggregate is reported at 882,191 From Delaware, no return has been received since 1810; from Maryland and South Carolina, none since 1811; Mississippi, none since 1812! From Kentucky and Tennessee, the returns are reported to be imperfect.

The steam boat Swift, rigged as a brig, is to depart from New York, for Rio de Janeiro on the 5th April, advertising for freight and passengers.

A steam coach is advertised in the Dublin papers to ply between that city and Belfast, at the rate of 13 Irish miles per hour, (19½ English)—It is propelled by a new invented steam pressure, said to be easily steered by one man, and to rise the hills without difficulty. The idea of such a means of conveyance has long been familiar to the people of the United States. The coach at Dublin was to start on the 1st of March.

A copy of a French translation of *Brackenridge's history of our late war with Great Britain*, has been received in this city by a late arrival at New-York. The translation is by Mr. *De Dalmece*. The undertaking to publish such a work in France proves of itself, that the history of our country, and its onward march, excite no little attention there.

The same vessel brought a copy of a letter from the distinguished *La Fayette*, on the occasion of the presentation to him, by the French author, of a copy of his work. The following translation of that letter, we know, will be acceptable to our readers:—
Copy of a letter from general La Fayette, in answer to one from M. A. de Dalmece, presenting him a copy of his translation of Brackenridge's history of the last war. 2 vols. 8vo. with a map.

Paris, Jan. 25, 1820.

I have received the excellent translation of a work, interesting to me from so many considerations. Our young American army, and the invincible navy of the United States, have given great satisfaction to the old soldiers of independence. The battle which closed this war, that of New Orleans, is one of the most curious phenomena of military history, and one of the best arguments in favor of the employment of militia to resist the attacks of regular troops. Accept the assurance, &c.

LA FAYETTE.

The season has been very severe to the eastward. At Providence R. I. about the 12th ult. the limbs of trees were constantly falling from the weight of snow and ice upon them. The orchards are said to be literally destroyed—trees of a foot through, were broken off ten feet from the ground, and the strongest trees severely injured. The editor of the paper there, says—“A gentleman of our acquaintance, last Thursday, broke a slender branch from a tree in his garden, covered with an icicle, and in that state found it weighed 19 ounces, and afterwards when the ice had melted, it was found to weigh less than a single ounce.”

Missouri expedition. The troops at Council Bluffs were recovering from the fatigue of erecting barracks. Several had died of the dysentery.

About the 1st Jan. the Sioux murdered 10 lodges, amounting to 60 souls, of the Ponka Indians. The massacre took place south of the Platte river.

Public lands. A considerable quantity of public lands, as made known by the usual proclamation of the president of the United States, and within the district of Detroit, will be offered for sale at Detroit, on the first Monday of July next.

Printing. An Edinburg paper mentions that an improvement has been made in printing, by applying the ink to the type by means of composition rollers in place of balls, and that a simple and ingenious machine for supplying the rollers with ink had been invented by a pressman in Edinburg, which had been found so efficient and useful after repeated trials, that the master printers had made a present of 24 guineas to the inventor. [Mr. Maxwell the editor of the Pennsylvania Gazette at Lancaster, invented this contrivance 12 years ago in this city—and it is now in use in Mr. Manning's printing office, in Sixth street.]

Aurora.

STRANGE AFFAIR. West Chester, Pa. March 15. On Saturday afternoon last, a deputy constable, from Eastnantmel township, arrived in this borough, with the corpse of a man, which, while on the way to interment, he had seized for debt, and brought to jail. The sheriff very properly refused to receive it. The constable was immediately arrested and bound over for his appearance at court for the act. The corpse was removed and decently interred.

Our feelings would lead us to speak in terms of warmth of this foul transaction, which would have disgraced the darkest age of heathen barbarism; but as the subject will undergo a judicial investigation, we suppress them.

Boston, March 20. Captain Hull, senior naval officer on this station, having received the melancholy information of the loss of the schr. Quaker, [she was from Boston, bound to the Chesapeake, with cables and cordage for the Columbus 74. She was struck by a squall on the morning of the 6th of March, and capsized, when every soul on board perished, except the mate and 1 hand,] by which event the service and the country have been deprived of lieuts. commandant John Pettigrew and Samuel B. Macomber; midshipman Wm. Boden, and 38 excellent seamen, requests that the officers on this station would wear crape on the left arm for 30 days, as a testimony of respect for their brother officers, who have unfortunately perished, and regret for those brave men who have shared the same fate.

Navy yard, Charlestown, March 20, 1820.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 6—VOL. VI.] BALTIMORE, APRIL 8, 1820. [No. 6—VOL. XVIII. WHOLE No. 448

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

From Spain. Gen. Vives, the new minister from Spain to the United States, with his suite, has arrived at New York in the packet ship James Monroe, from Liverpool.

The bankrupt law. The senate's rejection of the bill to establish a uniform system of bankruptcy, as congress is specially empowered by the constitution to do, will severely oppress that numerous part of the community who recently have been, or now are, interested in trade and commerce. We are not prepared to say that the bill lately before the senate was fitted to the wants of the case— but certainly, it would be no great stretch of human ingenuity to contrive a system whose general good might vastly overbalance apprehended evils—a system which should measurably protect the deceived creditor as well as the honest debtor, and rid us at once of our abominable state insolvent laws, many of which should be entitled *acts for the encouragement of roguery*: and which also, the supreme court has pronounced unconstitutional.

Mr. Clay's resolutions, inserted in our last, page 95, relative to the power to dispose of the territory of the United States, &c. if fully acted on this session, may occupy the house for at least a month, in the present speaking-manner of the times; for it involves one of the greatest questions that can be agitated, the treaty-making power;—it also bears upon the provision inserted in the act for the admission of *Missouri*, as to the restriction of slavery;—includes the policy of acquiring *more land*, not needful to the security of that which we possess; and seems intended to censure the conduct of the executive in the Florida treaty. On one or another, or upon all of these points, it must be supposed that every speaker will make a speech, if so agreed to discuss the resolutions. The free laborers of the country are suffering beyond any thing apprehended to happen in the United States, and the time of the national legislature, which should be devoted to subjects of political economy to relieve us, is given up to speculative opinions and wearisome discussions, without effect, perhaps, to change the opinion of one reflecting man in the republic! There is one *concoct*, however, in the present state of the times—the period is close at hand when thousands, in opposition to the system of government (if system it may be called) shall refuse, as a matter of political principle, to consume foreign goods, and tens of thousands, from sheer poverty, will be unable to purchase them, and our rulers be compelled, *a la mode d'Angleterre*, to borrow money every year to pay the interest on the national debt, &c. or, make a total change in their policy. It is impossible that the present state of things can last much longer. The revenue has fallen much short of its accustomed amount, and it must needs continue to decline, unless assisted by foreign events—in the mean time the expenditures are not much reduced. We must resort to internal means to keep the wheels of government a-going.

The late duel. We have had serious doubts on the propriety of inserting in the REGISTER, the correspondence

VOL. XVIII.—8.

pendence that led to the late fatal rencontre between commodores Barron and Decatur,—but considering that many of our readers will be curious to see it and wish to preserve it, we have yielded up our private inclination, and given the whole correspondence in this sheet. It was perhaps, also necessary that we should do this, because in our paper of the 25th ult. announcing the duel, we misstated the facts, by giving something like a *public* character to the transaction, which is now shewn to have been wholly of a *private* nature. Still, we should not have given this correspondence, had it not been that of *public* men.

We have oftentimes occasion to make a mental enquiry, "*what is truth?*" The most plausible statements, apparently reported on high authority and seemingly believed by "every body," frequently turn out to be the "*wery* coinage" of a desire to tell something new—or of wishes to appear more knowing than others. We disavow, however, in the case just stated, the influence of either of these, as to ourselves;—and sincerely regret (as we always do when a thing of the kind happens), that the REGISTER was made a vehicle of error,—especially in an editorial article; in all which, though our *opinions* may be contested, we would refrain from the *intimation of a fact* liable to be disproved.

The length of this correspondence, has completely deranged our plans for the business of the week. A SUPPLEMENT shall be published with our next number, to dispose of several valuable articles in type.

Private claims. A very important resolution has been submitted to the house of representatives, by Mr. Fuller. It is to be hoped, that some plan will be devised to do justice to the nation and individuals, in regard to private claims.

A "CAUCUS." We copy the following from the *National Intelligencer* as belonging to the political history of the times.—We are opposed to this practice: we fear that that which is now hardly tolerated may grow into a sort of *right*, as binding upon the people "in all cases whatsoever."

"The subscriber, having presided at the caucus which last recommended persons as candidates for the offices of president and vice president of the United States, and having been requested by a number of members of congress, from various parts of the union, to notify a time and place for the members to consult on the propriety of making at this time a nomination for those offices: In conformity with this wish expressed to him, he requests the attendance of such republican and other members of congress as may think proper to attend, on Saturday evening next, in the hall of the house of representatives, at half past 7 o'clock in the afternoon.

S. SMITH.

April 4th, 1820."

A north west passage, as reported to be discovered, on the authority of a letter from Mr. *M^r Tarish*, of Montreal, is said by him to be an idle fabrication—as we expected.

Currency.—Gov. Wolcott, has written a pamphlet, on "the present state of currency, commerce, credit, and national industry, in reply to the address of the Tammany society." It is distinguished for a clear and sound examination of the causes which have produced the present depression, and which are treated with the accuracy and precision of an experienced hand. Gov. Wolcott, in pointing out the remedy, says "I hope it will not be deemed presumptuous if I say, that the people ought to expect and be ready to support a system of internal revenue never to be hereafter abandoned." He thinks, that "excise duties on articles which interfere with domestic industry, on the luxuries of the rich, and the vices of the improvident, are the most beneficial sumptuary laws which can be devised, and nothing would be so advantageous at present as to charge the expenses of government upon such objects." *Nat. Adv.*

Decatur and Barron.

Correspondence between the late com. Stephen Decatur, and com. James Barron, which led to the unfortunate meeting of the 22d of March.

The friends of the late com. Decatur have learned, with very great regret, that misconceptions injurious to him prevail, and are extending, relative to the difference between him and com. Barron.—To place the subject in its true light, they have thought it necessary to submit to the public, without comment, the whole correspondence which preceded the meeting.

No. 1.

Hampton, Va. June 12, 1819.*

SIR—I have been informed, in Norfolk, that you have said that you could insult me with impunity, or words to that effect. If you have said so, you will, no doubt, avow it, and I shall expect to hear from you. I am, sir, your obedient servant,

JAMES BARRON.

To com. STEPHEN DECATUR, *Washington.*

No. 2.

Washington, 17th June, 1819.

SIR—I have received your communication of the 13th inst. Before you could have been entitled to the information you have asked of me, you should have given up the name of your informer. That frankness which ought to characterise our profession required it. I shall not, however, refuse to answer you on that account, but shall be as candid in my communication to you, as your letter or the case will warrant.

Whatever I may have thought, or said, in the very frequent and free conversations I have had respecting you and your conduct, I feel a thorough conviction that I never could have been guilty of so much egotism as to say that "I could insult you" (or any other man) "with impunity."

I am, sir, your obedient servant,

STEPHEN DECATUR.

To com. JAMES BARRON, *Hampton, Virginia.*

*With respect to the date of this letter, it may be proper to observe, that, although it is 13th June, yet the figure 2, as made, might well be mistaken for a 3: hence, in com. Decatur's letter of reply, he considered the date to be 13th June. On referring, however, to the post mark on the back of the letter, it was found to have been put into the post office on the 12th: hence, in com. Decatur's letter to com. Barron, of the 31st Oct. 1819, it is recognized as dated on the 12th.

No. 3.

Hampton, Va. June 25, 1819.

SIR—Your communication of the 17th inst. in answer to mine of the 13th, I have received.

The circumstances that urged me to call on you for the information requested in my letter, would, I presume, have instigated you, or any other person to the same conduct that I pursued. Several gentlemen in Norfolk, not your enemies, nor actuated by any malicious motive, told me that such a report was in circulation, but could not now be traced to its origin. I, therefore, concluded to appeal to you, supposing, under such circumstances, that I could not outrage any rule of decorum or candor. This, I trust, will be considered as a just motive for the course I have pursued. Your declaration, if I understand it correctly, relieves my mind from the apprehension that you had so degraded my character, as I had been induced to allege.

I am, sir, your obedient servant,

JAMES BARRON.

To com. STEPHEN DECATUR,
Washington.

No. 4.

Washington, June 29, 1819.

SIR—I have received your communication of the 25th, in answer to mine of the 17th, and as you have expressed yourself doubtfully, as to your correct understanding of my letter of the aforesaid date, I have now to state, and I request you to understand distinctly, that I meant no more than to disclaim the specific and particular expression to which your enquiry was directed, to wit: that I had said that I could insult you with impunity. As to the motives of the "several gentlemen in Norfolk," your informants, or the rumors which "cannot be traced to their origin," on which their information was founded, or who they are, is a matter of perfect indifference to me, as is also your motives in making such an enquiry upon such information.

Your obedient servant,

STEPHEN DECATUR.

To com. JAMES BARRON,
Hampton, Virginia.

No. 5.

Hampton, October 23, 1819.

SIR—I had supposed that the measure of your ambition was nearly completed, and that your good fortune had rendered your reputation for acts of magnanimity too dear to be risked wantonly on occasions that can never redound to the honor of him that would be great. I had also concluded that your rancor towards me was fully satisfied, by the cruel and unmerited sentence passed upon me by the court of which you was a member; and, after an exile from my country, family, and friends, of nearly seven years, I had concluded that I should now be allowed, at least, to enjoy that solace, with this society, that lacerated feelings like mine required, and that you would have suffered me to remain in quiet possession of those enjoyments; but scarcely had I set my foot on my native soil, ere I learnt that the same malignant spirit which had before influenced you to endeavor to ruin my reputation was still at work, and that you were ungenerously traducing my character whenever an occasion occurred which suited your views, and, in many instances, not much to your credit as an officer, through the medium of our juniors: such conduct cannot fail to produce an injurious effect on the discipline and subordination of the navy. A report of this sort, sir, coming from the respectable and creditable sources it did, could not fail to arrest my attention, and to excite those feelings which might

naturally be expected to arise in the heart of every man who professes to entertain principles of honor, and intends to act in conformity with them. With such feelings I addressed a letter to you under date of the 13th June last, which produced a correspondence between us, which I have since been informed you have endeavored to use to my farther injury, by sending it to Norfolk by a respectable officer of the navy, to be shewn to some of my particular friends, with a view of alienating from me their attachment. I am also informed that you have tauntingly and boastingly observed that you would cheerfully meet me in the field, and hoped I would yet act like a man, or that you had used words to that effect: such conduct, sir, on the part of any one, but especially one occupying the influential station under the government which you hold, towards an individual, situated as I am, and oppressed as I have been, and that chiefly by your means, is unbecoming you as an officer and a gentleman; and shews a want of magnanimity which, hostile as I have found you to be towards me, I had hoped for your own reputation you possessed. It calls loudly for redress at your hands: I consider you as having given the invitation, which I accept, and will prepare to meet you at such time and place as our respective friends, hereafter to be named, shall designate. I also, under all the circumstances of the case, consider myself entitled to the choice of weapons, place, and distance—but, should a difference of opinion be entertained by our friends, I flatter myself, from your known personal courage, that you would disdain any unfair advantage, which your superiority in the use of the pistol, and the natural defect in my vision, increased by age, would give you. I will thank you not to put your name on the cover of your answer, as, I presume, you can have no disposition to give unnecessary pain to the females of my family.

I am, sir, your obedient servant,

JAMES BARRON.

Commodore STEPHEN DECATUR,
Washington.

No. 6.

Washington, 31st Oct. 1819.

SIR: Your letter of the 23d inst. has been duly received. Prior to giving it that reply which I intend, its contents suggest the necessity of referring to our June correspondence.

On the 12th June last, you addressed to me a note, enquiring whether I had said that "I could insult you with impunity." On the 17th of June, I wrote to you, in reply, as follows: "Whatever I may have thought or said in the very frequent and free conversations I had respecting you and your conduct, I feel a thorough conviction that I never could have been guilty of so much egotism, as to say that I could insult you, or any other man, with impunity."

On the 25th of June, you again wrote to me, and stated, that the report on which you had grounded your query of the 12th of June could not now be traced to its origin,* and your letter is concluded in the following words: "your declaration, if I understand it correctly, relieves my mind from the apprehension that you had so degraded my character, as I had been induced to allege." Immediately on receiving your letter of the 25th June, I wrote to you, 29th June, as follows: "As you have expressed yourself doubtfully as to your correct understanding of my letter of the 17th June, I have now to state, I request you to understand, distinctly, that I meant no more than to disclaim the specific and particular expression, to which your enquiry was directed, to wit: "that I had said I could insult you with impunity." Here ended our June

correspondence, and, with it, all kind of communication, till the date of your letter of the 23d inst. which I shall now proceed to notice.

Nearly four months having elapsed since the date of our last correspondence, your letter was unexpected to me, particularly as the terms used by you, in the conclusion of your letter to me of 25th June, and your silence since receiving my letter of 29th June, indicated, as I thought, satisfaction on your part. But it seems that you consider yourself aggrieved by my sending our June correspondence to Norfolk. I did not send the June correspondence to Norfolk until three months had expired after your last communication, and not then, until I had been informed, by a captain of the navy, that a female of your acquaintance had stated, that such a correspondence had taken place.* If that correspondence has, in any degree, "alienated your friends from you," such effect is to be attributed to the correspondence itself. I thought the papers would speak for themselves, and sent them without written comment.

With respect to the court martial upon you for the affair of the Chesapeake, to which you have been pleased to refer, I shall not treat the officers, who composed that court, with so much disrespect, as to attempt a vindication of their proceedings. The chief magistrate of our country approved them; the nation approved them; and the sentence has been carried into effect. But, sir, there is a part of my conduct, on that occasion, which it does not appear irrelevant to revive in your recollection. It is this; I was present at the court of enquiry upon you, and heard the evidence then adduced for and against you; thence I drew an opinion altogether unfavorable to you: and when I was called upon, by the secretary of the navy, to act as a member of the court martial ordered for your trial, I begged to be excused the duty, on the ground of my having formed such an opinion. The honorable secretary was pleased to insist on my serving: still anxious to be relieved from this service, I did, prior to taking my seat as a member of the court, communicate to your able advocate, general Taylor, the opinion I had formed, and my correspondence with the navy department upon the subject, in order to afford you an opportunity should you deem it expedient, to protest against my being a member, on the ground of my not only having formed, but expressed an opinion unfavorable to you. You did not protest against my being a member. Duty constrained me, however unpleasant it was, to take my seat as a member: I did so, and discharged the duty imposed on me. You, I find, are incapable of estimating the motives which guided my conduct in this transaction.

For my conduct, as a member of that court martial, I do not consider myself as, in any way, accountable to you. But, sir, you have thought fit to deduce, from your impressions of my conduct as a member of that court martial, inferences of personal hostility towards you. Influenced by feelings thence arising, you commenced the June correspondence, a correspondence which I had hoped would have terminated our communications.

Between you and myself, there never has been a personal difference: but I have entertained, and do so still entertain the opinion, that your conduct, as an officer, since the affair of the Chesapeake, has been such as ought to forever bar your re-admission into the service.

*See the extract from capt. Carter's letter post [page 101.]

In my letter to you, of 17th June, although I disavowed the *particular expressions* to which you invited my attention, candor required that I should apprise you of my not having been silent respecting you. I informed you that I had had *very frequent and free conversations respecting you and your conduct*: and the words were underscored, that they might not fail to attract your particular attention. Had you have asked what those frequent and free conversations were, I should, with the same frankness, have told you; but, instead of making a demand of this kind, your reply to my letter of 17th June, "that my declaration, if correctly understood by you, relieved your mind," &c. That you might correctly understand what I did mean, I addressed you, as before observed, on the 29th June, and endeavored, by *underscoring* certain precise terms, to convey to you my precise meaning. To this last letter I never received a reply.

Under these circumstances, I have judged it expedient, at this time, to state as distinctly as may be in my power, the facts upon which I ground the unfavorable opinion which I entertain, and have expressed of your conduct as an officer, since the court martial upon you—while I disclaim all personal enmity towards you.

Some time after you had been suspended from the service, for your conduct in the affair of the Chesapeake, you proceeded, in a merchant brig, from Norfolk to Pernambuco, and by a communication from the late capt. Lewis, whose honor and veracity were never yet questioned, it appears—that you stated to Mr. Lyon, the *British consul* at Pernambuco, with whom you lived, "that if the Chesapeake had been prepared for action, you would not have resisted the attack of the Leopard; assigning as a reason, that you knew, [as did also our government] there were deserters on board your ship; that the president of the United States knew there were deserters on board, and of the intention of the British to take them; and that the president caused you to go out in a defenceless state, for the express purpose of having your ship attacked and disgraced, and thus attain his favorite object of involving the U. States in a war with Great Britain." For confirmation of this information, capt. Lewis refers to Mr. Thomas Goodwin, of Baltimore, the brother of capt. Ridgely, of the navy, who received it from Mr. Lyon himself. Reference was made to Mr. Goodwin, who, in an official communication, confirmed all that capt. Lewis had said. The veracity and respectability of Mr. Goodwin are also beyond question. You will be enabled to judge of the impression made upon capt. Lewis's mind, by the following strong remarks he made on the subject.

"I am now convinced that Barron is a traitor, for I can call by no other name a man who would talk in this way to an Englishman, and an Englishman in office."

These communications are now in the archives of the navy department.

If, sir, the affair of the Chesapeake excited the indignant feelings of the nation towards Great Britain; and was, as every one admits, one of the principal causes which produced the late war, did it not behoove you to take an active part in the war, for your own sake?—Patriotism out of the question!

But, sir, instead of finding you in the foremost ranks, on an occasion which so emphatically demanded your best exertions, it is said, and is credited, that you were, after the commencement of the war, to be found in the command of a vessel

sailing under *British license*! Though urged, by your friends, to avail yourself of some one of the opportunities which were every day occurring, in privateers, or other fast sailing merchant vessels, sailing from France, and other places, to return to your country during the war, it is not known that you manifested a disposition to do so, excepting in the single instance, by the *cartel* John Adams, in which vessel, you must have known, you could not be permitted to return, without violating her character as a cartel.

You say you have been oppressed. You know, sir, that, by absenting yourself, as you did for years, from the country, without leave from the government, you subjected yourself to be stricken from the rolls. You know, also, that by the 10th article of the act for the better government of the navy, all persons in the navy holding intercourse with an enemy, become subject to the severest punishment known to our laws. You have not, for the offences before stated, to my knowledge, received even a reprimand; and I do know, that your pay, even during your absence, has been continued to you.

As to my having spoken of you injuriously to "junior officers," I have to remark, that such is the state of our service that we have but few seniors. If I speak with officers at all, the probability is, it will be with a junior.

On your return to this country, your efforts to re-establish yourself in the service were known, and became a subject of conversation with officers as well as others. In the many and *free* conversations I have had respecting you and your conduct, I have said, for the causes above enumerated, that, in my opinion, you ought not to be received again into the naval service; that there was not employment for all the officers who had faithfully discharged their duty to their country in the hour of trial; and that it would be doing an act of injustice to employ you to the exclusion of any one of them. In speaking thus, and endeavoring to prevent your re-admission, I conceive I was performing a duty I owe to the service; that I was contributing to the preservation of its respectability. Had you have made no effort to be re-employed, after the war, it is more than probable I might not have spoken of you. If you continue your efforts, I shall certainly, from the same feelings of public duty by which I have hitherto been actuated, be constrained to continue the expression of my opinions; and I can assure you, that, in the interchange of opinions with other officers respecting you, I have never met with more than one who did not entirely concur with me.

The objects of your communication of the 23d, as expressed by you, now claim my notice. You profess to consider me as having given you "an invitation." You say that you have been told, that I have "tauntingly and boastingly observed, that I would cheerfully meet you in the field, and hoped you would yet act like a man."

One would naturally have supposed, that, after having been so recently led into error by "rumors" which could not be traced, you would have received, with some caution, subsequent rumors—at all events, that you would have endeavored to have traced them, before again venturing to act upon them as if they were true. Had you have pursued this course, you would have discovered, that the latter rumors were equally unfounded as the former.

I never invited you to the field; nor have I expressed a hope that you would call me out. I was informed, by a gentleman with whom you had conferred upon the subject, that you left Norfolk for this

place, some time before our June correspondence, with the intention of calling me out. I then stated to that gentleman, as I have to all others with whom I have conversed upon the subject, that, if you made the call, I would meet you—but that, on all scores, I should be much better pleased, to have nothing to do with you. I do not think that fighting duels, under any circumstances, can raise the reputation of any man, and have long since discovered, that it is not even an unerring criterion of personal courage. I should regret the necessity of fighting with any man—but, in my opinion, the man who makes *arms his profession*, is not at liberty to decline an invitation from any person, who is not so far degraded, as to be beneath his notice. Having incautiously said I would meet you, I will not consider this to be your case, although many think so—and if I had not pledged myself, I might reconsider the case.

As to "weapons, place, and distance," if we are to meet, those points will, as is usual, be committed to the friend I may select on the occasion. As far, however, as it may be left to me, not having any particular prejudice in favor of any particular arm, distance, or mode, (but, on the contrary, disliking them all,) I should not be found fastidious on those points, but should be rather disposed to yield you any little advantage of this kind. As to my skill in the use of the pistol it exists more in your imagination than in reality—for the last twenty years I have had but little practice—and the disparity in our ages, to which you have been pleased to refer, is I believe, not more than five or six years. It would have been out of the common course of nature, if the vision of either of us had been improved by years.

From your manner of proceeding, it appears to me, that you have come to the determination to fight some one, and that you have selected me for that purpose; and I must take leave to observe, that your object would have been better attained, had you have made this decision during our late war, when your fighting might have benefitted your country as well as yourself. The style of your communication, and the matter, did not deserve so dispassionate and historical a notice as I have given it, and had I believed it would receive no other inspection than yours, I should have spared myself the trouble. The course I adopted with our former correspondence, I shall pursue with this, if I shall deem it expedient.

I am, sir, your obedient servant,

STEPHEN DECATUR.

To Commodore JAMES BARRON,
Hampton, Virginia.

[EXTRACT.]

Norfolk, 24th August, 1819.

MY DEAR COMMODORE—Nothing had transpired here previous to my arrival on the subject of the correspondence; but a lady, a Miss ***** I think her name is, from Hampton, has stated, that a correspondence had taken place between you and B. which she feared would end in a meeting. The fears of this lady are at direct variance with the opinion of your friends here, who think that he does not purpose saying more on the subject.

As it seems that it was known at Hampton, and even here, that letters had passed between you and B. may I venture to ask you to send a copy of them to Mr. Tazewell, who I have just left. He will, with great pleasure, he says, attend to your wishes.

Receive the best wishes of your friend,

W. CARTER.

Commodore DECATUR.

No. 7.

Washington, November, 1819.

SIR—Since my communication to you of the 31st ult. I have been informed by a gentleman entitled to the fullest credit, that you were not afloat till after the peace; consequently, the report which I noticed of your having sailed under British li-ense must be unfounded.

I am, sir, your obedient servant,

STEPHEN DECATUR.

Com. JAS. BARRON.

No. 8.

Hampton, Nov. 20, 1819.

SIR—Unavoidable interruption has prevented my answering your two last communications as early as it was my wish to have done, but in a few days you shall have my reply.

I am, sir, your obedient servant,

JAS. BARRON.

Com. STEPHEN DECATUR.

No. 9.

Hampton, 30th Nov. 1819.

SIR—I did not receive, until Tuesday, 9th inst. your very lengthy, elaborate, and historical reply, without date, to my letter to you of the 23d ultimo; which, from its nature and object, did not, I conceive, require that you should have entered so much into detail in defence of the hostile and unmanly course you have pursued towards me, since the "affair of the Chesapeake," as you term it. A much more laconic answer would have served my purpose, which, for the present, is nothing more than to obtain at your hands honorable redress for the accumulated insults which you, sir, in particular, above all my enemies, have attempted to heap upon me, in every shape in which they could be offered. Your last voluminous letter is *alone* sufficient proof, if none other existed, of the rancorous disposition you entertain towards me, and the extent to which you have carried it. That letter I should no otherwise notice, than merely to inform you it had reached me, and that I am prepared to meet you in the field upon *any thing* like fair and equal grounds; but, inasmuch as you have intimated that our correspondence is to go before the public, I feel it a duty I owe to myself, and to the world, to reply particularly to the many calumnious charges and aspersions with which your "*dispassionate* and historical notice" of my communication so abundantly teems; wishing you, sir, at the same time, "distinctly to understand" that it is not for you alone, or to justify myself in your estimation, that I take this course. You have dwelt much upon our "June correspondence," as you style it, and have made many quotations from it. I deem it unnecessary, however, to advert to it, further than to remark that, although "nearly four months" did intervene between that correspondence and my letter of 23d ultimo, my silence arose not from any misapprehension of the purport of your contumacious "*under-scored*" remarks, nor from the malicious designs they indicated, nor from a tame disposition to yield quietly to the operation which either might have against me; but from a tedious and painful indisposition, which confined me to my bed the chief part of that period, as is well known to almost every person here. I anticipated, however, from what I had found you capable of doing to my injury, the use to which you would endeavor to pervert that correspondence; and have not at all been disappointed. So soon as I was well enough, and heard of your machinations against me, I lost no time in addressing to you my letter of the 23d ultimo; your reply to which I have now more particularly to no-

tice. I have not said, nor did I mean to convey such an idea, nor will my letter bear the interpretation, that your forwarding to Norfolk our "June correspondence" had, "in any degree, alienated my friends from me;" but, that it was sent down there with *that view*. It is a source of great consolation to me, sir, to know, that I have more friends, both in and out of the navy, than you are aware of; and that it is not in your power, great as you may imagine your official influence to be, to deprive me of their good opinion and affection. As to the reason which seems to have prompted you to send that correspondence to Norfolk, "that a female of my acquaintance had stated that such an one had taken place," I will only remark, that she did not derive her information from me; that it has always been, and ever will be, with me a principle, to touch as delicately as possible, upon reports said to come from females, intended to affect injuriously the character of any one; and that, in a correspondence like the present, highly as I estimate the sex, I should never think of introducing them as authority. Females, sir, have nothing, or ought to have nothing, to do in controversies of this kind. In speaking of the court martial which sat upon my trial, I have cast no imputation or reflection upon the members individually who composed it [saving yourself] which required that you should attempt a vindication of their proceedings—champion as you are, and hostile as some of them may have been to me; nor does the language of my letter warrant any such inference. I merely meant to point out to you, sir, what you appear to have been incapable of perceiving, the indelicacy of your conduct, [to say the least of it] in hunting me out as an object for malignant persecution, after having acted as one of my judges, and giving your voice in favor of a sentence against me, which I cannot avoid repeating, was "cruel and unmerited." It is the privilege, sir, of a man deeply injured as I have been by that decision, and conscious of his not deserving it, as I feel myself, to remonstrate against it: and I have taken the liberty to exercise that privilege.

You say that "the proceedings of the court have been approved by the chief magistrate of our country, that the nation approved of them, and that the sentence has been carried into effect." It is true the president of the United States *did* approve of that sentence, and that it was carried into effect—full and complete effect, which I should have supposed ought to have glutted the envious and vengeful disposition of your heart: but I deny that the nation has approved of that sentence, and as an appeal appears likely to be made to them, I am willing to submit the question. The part you took on that occasion, it was totally unnecessary, I assure you, "to revive in my recollection:" it is indelibly imprinted on my mind, and can never, while I have life, be erased. You acknowledge you were present at the court of enquiry in my case, "heard the evidence for and against me, and had, therefore, formed and expressed an opinion unfavorable to me," and yet, your conscience was made of such pliable materials, that, because the then "honorable secretary of the navy was pleased to insist on your serving as a member of the court martial, and because I did not protest against it," you conceive that "duty constrained you, however unpleasant, to take your seat as a member," although you were to act under the solemn sanction of an oath, to render me impartial justice upon the very testimony which had been delivered in your hearing before the court of enquiry, and from which you "drew an opinion, altogether unfavorable to me." How such conduct can be

reconciled with the principles of common honor and justice, is to me inexplicable. Under such circumstances, no consideration, no power or authority on earth could, or ought to, have forced any liberal high minded man to sit in a case which he had prejudged; and, to retort upon you your own expressions, you must have been "incapable of seeing the glaring impropriety of your conduct, for which, although you do not conceive yourself in any way accountable to me," I hope you will be able to account for it with your God, and your conscience.

You say, between you and myself, there never has been a personal difference, "and you disclaim all personal enmity towards me." If every step you have taken—every word you have uttered, and every line you have written in relation to me: if your own admission of the very frequent and free conversations you have had respecting me and my conduct, "since the affair of the Chesapeake," bear not the plainest stamp of *personal hostility*, I know not the meaning of such terms: were you not under the influence of feelings of this sort, why not, in your official capacity, call me, or have me brought before a proper tribunal, to answer the charges you have preferred against me, and thereby giving me a chance of defending myself? Why speak injuriously of me to junior officers, "which you do not deny?" Why the "many frequent and free conversations respecting me and my conduct," which you have taken so much pains to underscore? Why use the insulting expression, that you "entertained and still do entertain, the opinion that my conduct, as an officer, since that affair, has been such as ought forever to bar my readmission into the service," and that, in endeavoring to prevent it "you conceive you were performing a duty you owe to the service, and were contributing to its respectability?" Why the *threat*, that if I continued the efforts you say I have been making, to be "re-employed," you "certainly should be constrained to continue the expressions of those opinions?"

Does not all this, together with the whole tenor and tendency of your letter, manifest the most marked *personal animosity* against me, which an honorable man, acting under a sense of public duty, by which you profess to "have been hitherto actuated," would disdain even to shew, much more to feel?

I shall now, sir, take up the specific charges you have alleged against me, and shall notice them in the order in which they stand. The first is one of a very *heinous* character. It is, that "I proceeded in a merchant brig to Pernambuco." Could I, sir, during the period of my suspension, have gone any where in a national vessel? Could I, with what was due to my family, have remained idle? The sentence of the court deprived them of the principal means of subsistence. I was, therefore, compelled to resort to that description of employment with which I was best acquainted: and on this subject you should have been silent. But you add, that the late capt. Lewis of the navy, *who had it from a Mr. Goodwin, who heard it from Mr. Lyon, the British consul at Pernambuco*, with whom you undertake to say I lived, represented me as stating, "that, if the Chesapeake had been prepared for action, I would not have resisted the attack of the Leopard—assigning, as a reason, that I knew, as also did our government, that there were deserters on board the Chesapeake—and that I said to Mr. Lyon, further, that the president of the United States knew there were deserters on board, and of the intention of the British ship to take them, and that the ship was ordered out, under these circumstances, with a view

to bring about a contest which might embroil the two nations in a war."

The whole of this, sir, I pronounce to be a falsehood, a ridiculous, malicious, absurd, improbable falsehood, which can never be credited by any man that does not feel a disposition to impress on the opinion of the public that I am an idiot. That I should, two years after the affair of the Chesapeake, make such a declaration, when every proof that could be required of a contrary disposition, on the part of the chief magistrate, had been given, cannot receive credit from any one, but those that are disposed to consider me such a character as you would represent me to be. I did not live with Mr. Lyon, nor did I ever hold a conversation with him so indelicate as the one stated in capt. Lewis's letter would have been. And with what object could I have made such a communication? Mr. Lyon would naturally have felt a contempt for a man that would have suffered himself to have been made a tool of in so disgraceful an affair. I found Mr. Lyon transacting business in Pernambuco: he produced to me a letter from Mr. Hill, the American consul in that country, recommending him as entitled to the confidence of his countrymen, every one of whom, in that port, put their business into his hands. I did the same, and thus commenced our acquaintance—he was kind and friendly to me, but never in any respect indelicate, as would have been, in a high degree, such conversation between us. Of Mr. Goodwin I know nothing. I have never seen him in all my life, nor do I conceive that his hearsay evidence can be of any kind of consequence against me—I was the first that informed the president and the secretary of the navy, that such a letter was in the department, even before I had seen it—and, again, if the mere oral testimony of a British agent was to be considered as evidence sufficient to arraign an American officer, I think the navy would quickly be in such a state, as it might be desirable for their nation to place it in. As to the *impressions* made upon the mind of capt. Lewis, from this *information*, and the "strong remarks" he made upon the subject, which you have thought proper to quote, they by no means establish the *correctness* of that information—but only go to shew the effect it produced upon the mind of an individual, who seems to have imbibed a prejudice against me, not otherwise to be accounted for, except your acquaintance with him. He is now in his grave, and I am perfectly disposed *there* to let him rest—you must, however, have been hard pressed, indeed, to be compelled to resort to such flimsy grounds as those, a degree weaker than even second handed testimony, to support your charges against me. These communications, you observe, are now in the archives of the navy department. Of this fact, sir, I had long been apprised—and had you, when searching the records of that department for documents to injure my character, looked a little further back, you would perhaps have found others calculated to produce a very different effect. Of my desire to return to the U. States, during the late war, there are certificates in the navy department of the first respectability, which, if you had been disposed to find and quote, are perhaps lying on the same shelf from whence you took those that you appear so anxious to bring to public view; I mean my letter applying for service, as soon as an opportunity offered, after the term of my suspension expired; and one letter, above all, you should not have passed over unnoticed, that which you received from my hand, of May, 1803, addressed to the secretary of the navy, which was one of the princi-

pal causes of your obtaining the first command that you were ever honored with, and as you may have forgotten it, I will remind you, on this occasion, that, but little more than one month previous to the date of that letter, I, by my advice and arguments, saved you from resigning the service of your country in a pet, because you were removed from the first lieutenantcy of the New York, to that of second of the Chesapeake—but all this and much more is now forgotten by you, yet there are others that recollect those circumstances, and the history of your conduct to me will outlive you, let my fate be what it may. The affair of the Chesapeake did certainly "excite," and ought to have excited, the indignant feelings of the nation towards Great Britain; but, however it may have justified a declaration of war against that power, it was not, as you assert "every one admits," one of the principal causes of the late war.—That did not take place, sir, until *five years* after, when that affair had been amicably and of course honorably adjusted between the two nations. I mention this fact, not on account of its importance, but because you laid so much stress upon that "affair," as a reason why I ought to have returned home during the late war, and to shew that, although it *did* happen to be your fortunate lot to have an opportunity of being in the foremost rank, on that occasion, of which you seem inclined to vaunt, you are ignorant even of the causes which led to it. Having, in your letter of the 5th inst. abandoned the charge of my having sailed under "British license," after the commencement of the late war, in consequence of information received by you from a gentleman entitled to the fullest credit, that I was not afloat, until after the peace, consequently the report which you noticed of my having sailed under British license, must be unfounded. I have only to remark, on this head, that, in advancing a charge against me of so serious a nature, and designed, and so well calculated as it was, to affect materially my reputation, not only as an officer of the navy, but as a citizen of the U. States, you should first have ascertained that it was founded on fact, and not on rumor, which you so much *harped* upon—and that, upon a proper investigation, you would have discovered your other accusations to be equally groundless. For my not returning home during the late war, I do not hold myself, to use your own expressions, "in any way accountable to you," sir. It would be for the government, I should suppose, to take notice of my absence, if they deemed it reprehensible—and they no doubt would have done so, had not the circumstances of the case, in their estimation, justified it.—That they are perfectly satisfied upon this point, I have good reason to believe, and trust I shall be able to satisfy my country also. The president's personal conduct to me, and the memorial of the Virginia delegation in congress to him, prove how I stand with those high characters, your opinion, notwithstanding, to the contrary. I deny, sir, that I ever was "urged" by my friends, as you in mockery term them, to return home during the late war, nor could it have been requisite for me to have been "urged" to do so by any one. Laying patriotism out of the question, as you observe, as well as the reasons why you think "it behoves me" to adopt that course, there were other incentives strong enough, God knows, to excite a desire on my part to return—and I should have returned, sir, but for circumstances beyond my controul, which is not incumbent on me to explain to you.

Had the many opportunities really presented themselves which you allege were "every day oc-

curing," of which I might have availed myself to return to my country, in privateers or other fast sailing merchant vessels, from France and other places, but of which you produce no other proof than random assertion, on which most of your other charges rest? There were no such opportunities, as you say were "every-day occurring;" no, not one within my reach, and some considerable time after the news of the war arrived in Denmark, it was not believed that it would continue six months—but, if I had received the slightest intimation from the department that I should have been employed on my return, I should have considered no sacrifice too great, no exertion within my power should have been omitted to obtain so desirable an object, as any mark of my country's confidence would have been to me in such a moment: a gun-boat, under my own orders, would not have been refused—but what hope had I, when my letter of application for service was not even honored by an answer. In regard to the John Adams, I do not deem it proper, on this occasion, to explain my reasons for making the attempt to return in that ship; but whenever I am called on by any person properly authorised to make the enquiry, I am confident that I shall convince them, that I had good reason to believe that I should obtain a passage in her, notwithstanding your great knowledge on the occasion.

You say, by absenting myself, for years, from the country, without leave from the government, I "subjected myself to be stricken from the rolls." I knew also, by the 10th article of the act for the better government of the navy, that all persons in the navy holding intercourse with an enemy, became subject to the severest punishment known to the law—and that, for these offences, as you are pleased to term them, "I have not received, to your knowledge, even a reprimand;" but I presume if I have not it is not your fault. What kind and humane forbearance is this, after what I have already endured! But, sir, as you seem to be so very intelligent upon other points, pray tell me where was the necessity of my asking for a furlough until the period of my suspension expired, or even after having reported myself for duty without being noticed. As to the charge of my holding intercourse with the enemy, I am at a loss to conceive to what you allude, and should degrade myself by giving it any other reply than to pronounce it—if you mean to insinuate there was any unlawful or improper communication on my part with the government, or any individual of Great Britain, as a *false* and *foul* aspersion on my character, which no conduct or circumstance of my life, however it might be tortured by your malice or ingenuity, can, in any manner, justify or support—You say, also, that you *do* know "that my pay, even during my absence, was continued to me." It is not the fact, sir, I never, and until very recently since my return, received but half pay. This part of your letter I should not have regarded, were it not to shew with what boldness, facility, and *sang froid*, you can make assertions unsustained by the shadow of truth; but, if you had made yourself acquainted with the circumstances relative to my *half pay*, you would have found that not one cent of it was received by me. The government was so good as to pay the amount to my unfortunate female family, whose kindest entertainment you have frequently enjoyed.

Poor unfortunate children! whose ancestors, every man of them, did contribute every disposable smiling of their property, many of them their lives, and all of them their best exertions, to establish the independence of their country, should now be told

that the small amount of my half pay was considered, by an officer of high rank, too much for them! You have been good enough to inform me that, on my return to this country, my "*efforts*," as you have been pleased to call them, "to reinstate myself in the service, were known, and became a subject of conversation with officers, as well as others;" and, but for those "*efforts*," it is *more than probable* you would not have *spoken of me*. This would, indeed, have displayed a wonderful degree of lenity and courtesy on your part, of which I could not have failed to be duly sensible. But, sir, I beg leave to ask how, and where, did you get your information, that such "*efforts*" were made by me—and, even admit they were, why should you *alone*, disclaiming, as you pretend to do, all "*personal enmity*" against me, have made yourself so *particularly busy* on the occasion? Was it because your inflated pride led you to believe that the weight of your influence was greater than that of any other officer of the navy, or that you were more tenacious of its honor and 'respectability' than the rest of the officers were? You assure me, however, 'that, in the interchange of opinion with other officers respecting me, you have never met with more than one who did not entirely concur with you in the opinion you have expressed of me.' Indeed! and what is the reason? It is because, I suppose, you are most commonly attended by a train of dependents, who, to enjoy the sunshine of your favor, act as *caterers* for your vanity; and, revolving around you like *satellites*, borrow their chief consequence from the countenance you may *condescend* to bestow upon them. You, at length, arrive at the main point—the '*object*' of my letter of the 23d ultimo, which you might have reached by a much *shorter route*, and have saved me the fatigue of being compelled, in self-defence, to travel with you so far as you have gone. The language of defiance, represented to have been used by you, 'that you would cheerfully meet me in the field, and hoped I would yet act like a man,' are disavowed by you. And you further deny having ever invited me to the field, or expressed a hope that I would call you out—but you observe that, 'being informed by a gentleman with whom I had conferred upon the subject, that I left Norfolk, for the seat of government, some time before our June correspondence, with the intention of calling you out, you stated to that gentleman, as you have to *all others* with whom you have conversed upon the subject, that, if I made the call, you would meet me—but that, upon all scores, you would be much better pleased to have nothing to do with me.' I certainly do not exactly know who that intermeddling gentleman was, with whom you say I 'conferred;' but, if I may be allowed a conjecture, I think I can recognize in him the self-same officious gentleman who, I am creditably informed, originated the report of your having made use of the gasconading expressions you have disowned. In this respect I may be mistaken. Be this, however, as it may, I never gave him, or any other person, to understand that my visit to Washington last spring was for the purpose of 'calling you out,' nor did I go there with *any such view*.

How you can reconcile your affecting indifference towards me, in the remark 'that, on all scores, you would be much better pleased to have nothing to do with me,' with the very active part, it is generally known, and which your own letter clearly evinces, you have taken against me, I am at a loss to conceive. No, sir, you feel not so much unconcern as you pretend and wish it to be believed you do, in regard to the course of conduct my honor and

my injuries may, in my judgment, require me to pursue. You have a *maître*, not to be concealed from the world, for all you have done or said, or for any future endeavors you may make, to bar my 're-admission' into the service. It is true that you have never given me a direct, formal and written invitation to meet you in the field, such as one gentleman of honor *ought* to send to another. But, if your own admissions, that you had incautiously said you would meet me if I wished it, and 'that, if you had not *pledged yourself*, you might reconsider the subject,' and all this too without any provocation on my part, or the most distant intimation from me that I had a desire to meet you, do not amount to a challenge, I cannot comprehend the object or import of such declarations—made, as they were, in the face of the world—and to those, in particular, whom you knew would not only communicate them to me, but give them circulation—under all the circumstances of the case, I consider you—having thrown down the gauntlet, and I have no hesitation in accepting it. This is, however, a point which it will not be for me or your to decide, nor do I view it as of any other importance than as respects the privilege allowed to the challenged party in relation to the choice of weapons, distance, &c. about which I feel not more 'fastidious,' I assure you, sir, than you do—nor do I claim any advantage whatever, which I have no right to insist upon—could I stoop so low as to solicit any, I know you too well to believe you would have any inclination to concede them. All I demand is to be placed upon equal grounds with you—such as two honorable men may decide upon *as just proper*. Upon the subject of duelling I perfectly coincide with the opinions you have expressed. I consider it as a barbarous practice which ought to be exploded from civilized society; but, sir, there may be causes of such extraordinary and aggravated insult and injury, received by an individual, as to render an appeal to arms, on his part, absolutely necessary; mine I conceive to be a case of that description, and I feel myself constrained, by every tie that binds me to society, by all that can make life desirable to me, to resort to this mode of obtaining that redress due to me at your hands, as the only alternative which now seems to present itself for the preservation of my honor.

To conclude: you say, 'from my manner of proceeding, it appears to you that I have come to the determination to fight some one, and that I have selected you for that purpose.' To say nothing of the vanity you display, and the importance you seem to attach to yourself, in thus intimating that, being resolved to *fight myself* into favor, I could no otherwise do so than by fixing upon you, the very reverse of which you infer is the fact. I never wished to fight in this way; and had you permitted me to remain at rest, I should not have disturbed you; I should have pursued the "even tenor of my way" without regarding you at all. But this would not have suited your ambitious views. You have *hunted* me out—have persecuted me with all the power and influence of your office, and have declared your determination to drive me from the navy, if I should make any 'efforts' to be employed, and for what purpose, or from what other motive than to obtain my rank, I know not: if my life will give it you, you shall have an opportunity of obtaining it. And now, sir, I have only to add, that if you will make known your determination, and the name of your friend, I will give that of mine, in order to complete the necessary arrangements to a final close of this affair. I can make no other apology for the apparent tardiness of this communication, than merely to state,

that, being on very familiar terms with my family, out of tenderness to their feelings, I have written under great restraint.

I am sir, your obedient servant,

JAMES BARRON.

Com. STEPHEN DECATUR.

No. 10.

Washington, 29th December, 1819.

SIR—Your communication of the 30th ultimo, reached me as I was on the eve of my departure for the north—whence I did not return till the 22d instant. It was my determination, on the receipt of your letter, not to notice it—but, upon more mature reflection, I conceive, that as I have suffered myself to be drawn into this unprofitable discussion, I ought not to leave the false coloring and calumnies, which you have introduced into your letter, unanswered. You state that a much more laconic reply to your letter of 23d October would have served your purpose. Of this I have no doubt—and to have insured such an answer, you had only to make a laconic call. I had already informed you of the course I had felt myself bound to pursue respecting you, and of the reasons which induced my conduct, and that, if you require it, I would overcome my own disinclination, and fight you.—Instead of calling me out for injuries which you chose to insist that I have heaped upon you, you have thought fit to enter into this war of words.

I reiterated to you, that I have not challenged, nor do I intend to challenge you. I do not consider it essential to my reputation that I should notice any thing which may come from you, the more particularly, when you declare your sole object, in wishing to draw the challenge from me, is, that you may avail yourself of the advantages which rest with the challenged. It is evident that you think, or your friends for you, that a fight will help you—but, in fighting you wish to incur the least possible risk. Now, sir, not believing that a fight of this nature will raise me at all in public estimation, but may even have a contrary effect, I do not feel at all disposed to remove the difficulties that lay in our way. If we fight, it must be of your seeking—and you must take all the risk and all the inconvenience which usually attend the challenger, in such cases.

You deny having made the communication to the British consul at Pernambuco, which Capt. Lewis and Mr. Goodwin have represented. The man capable of making such a communication, would not hesitate in denying it—and, until you can bring forward some testimony, other than your own, you ought not to expect that the testimony of those gentlemen will be discredited. As to the veracity of the British consul, I can prove, if necessary, that you have, yourself, vouched for that.

You offer, as your excuse for not returning to your country, during our war with England, that you had not been invited home by the then secretary, notwithstanding you had written him, expressive of your wishes to be employed. You state, that, if you "had received the slightest intimation from the department, that you would have been employed on your return, you would have considered no sacrifice too great, no exertion within your power, should have been omitted to obtain so desirable an object." From this, I would infer, that, in consequence of not receiving this intimation, you did not make the exertions in your power to return, and this I hold to be an insufficient excuse. You do not appear to have made any attempt, except by the way of the cartel, the John Adams. You cannot believe, that reporting yourself to the department at the distance of 4,000 miles, when the

same conveyance which brought your letter would have brought yourself, will be received as evincing sufficient zeal to join the arms of your country—and, besides, you say it was not believed, for a considerable time after the news of war arrived in Denmark, that it would last six months. With those impressions, you must have known, that it would have occupied at least that time for your letter to have arrived at the department, you to receive an answer, and then repair to America. You deny that the opportunities of returning were frequent. The custom house entries at Baltimore and New-York alone, from the single port of Bordeaux, will show nearly an hundred arrivals—and it is well known, that it required only a few days to perform the journey from Copenhagen to Bordeaux, by the ordinary course of post. You deny having been advised to return to this country, by your friends, during the war. Mr. Cook, of Norfolk, your relative, says he wrote to you to that effect—and Mr. Forbes, then our consul at Copenhagen, who is now at this place, says he urged you in person to do so.

You have charged the officers who concur with me in opinion respecting your claims to service, as being my satellites. I think I am not mistaken, when I inform you, that all the officers of our grade, your superiors as well as inferiors, with the exception of one, who is your junior, concur in the opinion, that you ought not to be employed again, whilst the imputations, which now lie against you, remain: nor have they been less backward than myself in expressing their opinions.

Your charge of my wishing to obtain your rank, will apply to all who are your juniors, with as much force as to myself. You never have interfered with me in the service, and, at the risk of being esteemed by you a little vain, I must say, I do not think you ever will. Were I disposed to kill out of my way, as you have been pleased to insinuate, those who interfere with my advancement, there are others, my superiors, who I consider fairly barring my pretensions—and it would serve such purpose better, to begin with them. You say, you were the means of obtaining me the first command I ever had in the service. I deny it—I feel that I owe my standing in the service to my own exertions only.

Your statement, that your advice prevented me from resigning on a former occasion, is equally unfounded. I have never, since my first admission into the navy, contemplated resigning—and instead of being ordered; as you state, from the 1st lieutenantancy of the New-York, to the 2d of the Chesapeake, commodore Chauncey, who was then flag captain, can testify, that I was solicited to remain as 1st lieutenant of the flag ship—and I should have remained as such, had it not been for the demand which the government of Malta made, for the delivery of the persons who had been concerned in the affair of honor, which led to the death of a British officer. It was deemed necessary to send all the persons implicated in that affair, out of the way—and I went home in the Chesapeake, as a passenger.

You have been pleased to allude to my having received the hospitality of your family.—The only time I recollect being at your house, was on my arrival from the Mediterranean in the Congress, fourteen years past. You came on board and dined with me, and invited the Tunisian ambassador and myself to spend the evening with you at Hampton. I accepted your invitation. Your having now reminded me of it, tends very much towards removing the weight of obligation I might otherwise have felt on this score.

You speak of the good conduct of your ancestors. As your own conduct is under discussion, and not theirs, I cannot see how their former good character can serve at all your present purpose. Fortunately for our country, every man stands upon his own merit.

You state that the "Virginia delegation in congress" had presented a memorial in your favor. I would infer from this, that all, or the greater part of the Virginia delegation, had interposed in your behalf. This, sir, is not the fact. A few of them, I am informed, did take an interest in your case—but, being informed of the charges existing against you, of which they were before unappraised, they did not press farther your claims. From the knowledge I have of the high-minded gentlemen that compose the Virginia delegation, if they would take the trouble to examine your case, I should, for my own part, be entirely satisfied to place the honor of the service upon their decision.

You offer as your excuse for permitting 4 months to intervene between our June correspondence (with which, from your letter, you appeared to be satisfied) and your letter of the 23d October, your indisposition. I am authorised in saying that, for the greater part of the four months, you were out attending to your usual avocations.

Your offering your life to me would be quite affecting, and might (as you evidently intend), excite sympathy, if it were not ridiculous. It will not be lost sight of, that your jeopardizing your life depends upon yourself, and not upon me—and is done with a view of fighting your own character up. I have now to inform you, that I shall pay no further attention to any communication you may make to me, other than a direct call to the field.

Your obedient servant,

STEPHEN DECATUR.

To commodore JAMES BARRON,
Hampton, Virginia.

No. 11.

Norfolk, January 16th, 1820.

SIR: Your letter of the 19th ult. I have received. In it you say that you have now to inform me that you shall pay no further attention to any communication that I may make to you, other than a direct call to the field: in answer to which I have only to reply, that whenever you will consent to meet me on fair and equal grounds, that is, such as two honorable men may consider just and proper, you are at liberty to view this as that call; the whole tenor of your conduct to me justifies this course of proceeding on my part; as for your charges and remarks, I regard them not; particularly your sympathy; you know not such a feeling—I cannot be suspected of making the attempt to excite it.

I am, sir, yours, &c.

JAMES BARRON.

To com. STEPHEN DECATUR,
Washington.

No. 12.

Washington, January 24, 1820.

SIR: I have received your communication of the 16th, and am at a loss to know what your intention is. If you intended it as a challenge, I accept it, and refer you to my friend, com. Bainbridge, who is fully authorised by me to make any arrangement he pleases, as regards weapons, mode or distance.

Your obedient servant,

STEPHEN DECATUR.

Com. JAMES BARRON.

No. 13.

Norfolk, February 6, 1820.

SIR: Your letter of the 29th of December found me confined to bed, with a violent bilious fever, and

t was eight days after its arrival before I was able to read it; the fever, however, about that time left me, and my convalescence appeared to promise a moderately quick recovery. I, therefore, wrote you my note of the 16th ultimo; in two days after I relapsed, and have had a most violent attack, which has reduced me very low, but as soon as I am in a situation to write, you shall hear from me to the point.

I am, sir, your obedient servant,

JAMES BARRON.

Gen. STEPHEN DECATUR, *Washington.*

Report on Public Lands.

The following report made in the house of representatives by Mr. Anderson (of Kentucky) from the committee on public lands, on the petition of the Swiss emigrants, is published for the information of those concerned in applications of this or a similar nature.

The committee on public lands, to whom was referred the petition of Charles Henry du Pasquier and others, praying, on behalf of themselves and other Swiss emigrants, that congress would authorize them to purchase a tract of the public land, lying on the west of the Mississippi, and between the 30th and 37th degrees of north latitude, sufficient for a settlement of 3 or 4000 families, on terms more favorable than the general laws would permit, have had the same under consideration and report:—That the question presented to the consideration of the house, involves the expediency of selling the public lands to foreigners, on terms more indulgent than those which regulate the sales to native citizens. This committee is very sensible, that the mildness of our government, its wise and wholesome laws, have produced an emigration which has gone far to increase the collective talents and industry of the country; some of our most distinguished citizens, as well as most industrious and ingenious mechanics, are among those who have made this country their own by adoption. But it is thought that, while we highly appreciate these benefits, we should not change the operation of the general laws of our country to produce the effect. So long as the freedom of our institutions is preserved, and wholesome laws are permitted to have their ordinary effect, the inducements, which have heretofore had their influence, will still be sufficiently strong to produce the desired emigration. It cannot be conceded that special provisions excepting foreigners however meritorious, from the operation of general laws, and giving them advantages which are denied to the citizens, can be founded in good policy. It is a peculiarity eminently honorable to our country, that the native of Europe possesses, in the acquisition of the soil here, the same advantages which an American citizen does; to give him more, would produce a distinction not only invidious, but most unjust. When the law is now equally open to both, it would be a perverted use of charity to give to the stranger a facility which we deny to the citizen.

It is probable that, during the present session of congress, the mode of selling the public lands will be so altered, as to demand a cash payment of each purchaser. Every reason which could influence congress to make that change would forbid this committee from proposing to sell a large quantity of a credit still more distant than the present laws contemplate. If the public interests should be thought to require a system still more rigorous than the one which now prevails, and this too against

petitions of a great number of your citizens, and the memorials of the legislatures of several of the southern and western states, it would indeed be an assumption of high responsibility on the part of this committee, to recommend, in obedience to the prayer of the present petitioners, that indulgence to them, which the expected bill will deny to your own citizens.

The establishment of a community of foreigners within our country, secluded by their habits, manners, and language, from an intimate association with the great body of our citizens, cannot be an event so desirable as to justify a departure from the general law. An unrestrained intercourse with the body of the American yeomanry, affords to the emigrant the best, and probably the only means of acquiring an intimate knowledge of our laws and institutions; a knowledge, which is not only necessary to give him the full enjoyment of his situation, but is necessary to render him a valuable and safe citizen to the commonwealth. It is believed that, if a large settlement was formed, exclusively of foreign families, the most of whom, our language would of course be unknown, many years would elapse before that general intercourse would take place, beyond the boundaries of their own community, which would be essential to give to them full possession of American principles and character; and it is by no means certain, that time would in such cases ever have the effect of entirely destroying their foreign character. While then, this committee rejoice in every opportunity of communicating the blessing of their country to their European brothers, they believe that it can be safely done, only when they enjoy them by indiscriminate association.

The petitioners have (many of them) been heretofore engaged in manufactures; and they rely for much of the support, which they expect to receive upon the stock of manufacturing skill and industry, which they promise to introduce. They have exhibited before the committee some beautiful and very satisfactory specimens of their ingenuity and skill, particularly in silk and cotton goods. Your committee felt the full force of this appeal, and very frankly state that, if any petition of a similar character can be acceptable to the house, this deserves to be so. Without referring to the known character of the Swiss peasantry, a settlement in the state of Indiana, of emigrants from Switzerland, give strong evidence, that a colony established under the auspices of the present petitioners, would be characterized by industry and unoffending submission to the laws. They resist the application, however, on the grounds they have stated. The terms of sale held out by the present laws are of the most indulgent kind; and if the public interests should even justify a relaxation from them, it is confidently believed that it should be in favor of American citizens.

In answer to that part of the petition which declares, that one of the principal objects is "the domestic manufacture of cotton, wool, flax and silk," the committee will only say, that it may well be considered, how far it would comport with sound policy to give a premium for the introduction of manufactures at the moment, when, by the almost unanimous declaration of our manufacturers, it is said, they cannot live without farther protection.

The committee therefore recommend to the house the following resolution.

Resolved, That the prayer of the petitioners ought not to be granted.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

London dates of Feb. 24.

Private information was given to the civil power of the existence of an association of ruffians, whose object it was to massacre the whole of the British ministry at once, when assembled at what is called a "cabinet dinner!" All things being in readiness, certain officers proceeded, on the evening of the 23rd of Feb. to the place designated as their rendezvous, which was in a loft, to which the only access was by a ladder. They found the people assembled and charged upon them. The lights were extinguished, and a dreadful scuffle ensued in the dark. The police officers were supported by some of the military. One of the former was stabbed and killed on the spot, and for a considerable time there was a sharp discharge of fire arms, on both sides.—The officers and military gained the ascendancy, and then the conspirators began to effect their escape, by a back window. They were supposed at first to have amounted to 25 men, of whom only 9 were then taken, whose names are given in the papers. The famous Arthur Thistlewood was among those who escaped—1000*l* reward was offered for him. He was well known as the editor of the "Black Dwarf," and taken the next day, with one or two others. They appear to have been in the very act of setting out to execute their purpose, at the end of Harrowby's, where it is said that Thistlewood was to have gained the entrance into the house as the bearer of a public despatch, that the rest were to have rushed into the dining room, provided with hand-grenades and completely armed, and to have massacred all present, &c.

If this be not a contrivance and manufacture of the ministry (and we know that some things almost as bad have been contrived by them, at different times, to accomplish their purposes,) we have rarely heard of any thing more truly horrid in its character. Their room was filled with muskets, pistols, blunderbusses, swords, pikes, &c. and well supplied with ammunition. Several of the officers who arrested them, as well as two or three of the military, were wounded.

We have accounts of fresh mobs at Brandon, in Ireland—but they do not appear to have any political object.

Later. By an arrival at New York, London papers to the 2nd of March have been received.

Parliament was prorogued by commission, on the 28th Feb.

The late conspiracy is spoken of as having been a long meditated affair, but we have not any additional particulars. A convention of radical delegates were arrested at Glasgow; and it is intimated that evidence has been obtained of a project for a simultaneous rising early in March.

The queen is soon expected to arrive in England. Bands of "Ribbon men," sometimes amounting to 1,000 persons, are committing dreadful depredations in some parts of Ireland.

Stocks—March 1. 3 per cent consols 68 1-2-3-8; American 3's, 65 1-2 to 66; do. 6's, 100 to 102; U. S. bank shares 21 1/7 6d.

FRANCE.

The body of the duke of Berri was laid out in state. It was thought that on the 15th of Feb. the apartment was visited by 30,000 persons. Louvel, his assassin, was also brought there—and underwent an examination. He denied that he had any accomplices—to a question, "If justice to man cannot induce you to speak the truth, think on the jus-

tice of God," he is reported to have said, "God is but a name. He has never been seen upon earth." He appeared perfectly cool and tranquil, firm to his crime and careless of what they could do to him.

Later. The duke of Berri was interred with great ceremony—more than 100,000 persons attended his funeral, and all the shops in Paris were shut up. Since his assassination, 51 persons have been arrested on informations lodged against them, among them a fruit woman, said to have been the mistress of the assassin, who has made important disclosures.

Count Simeon has been appointed minister of the interior in the place of De Cazes.

The English residents in France, are described as having, in numerous instances, demanded passports to leave that country: yet the French funds were rising.

Royal ordinance.

Louis by the grace of God, king of France and Navarre.

Wishing to confer on count de Cazes a testimony of our satisfaction with his services, with the zeal and fidelity of which he has given us proofs on the most trying occasions, and likewise with his attachment to our person and family, we have ordained and do ordain as follows:

Art. 1. Count de Cazes, peer of France, minister of state, is nominated a duke, to enjoy for himself and his descendants in a direct line from male to male, according to the order of primogeniture, the honors and prerogatives attached to that rank, with the obligation of conforming to the laws of the kingdom, and particularly to the disposition of our ordinance of August 19, 1815.

Art. 2. Our minister secretary of state in the department of foreign affairs is charged with the execution of the present ordinance. Given at our palace of the Tuilleries, Feb. 20, 1820.

(Signed)

(Countersigned)

LOUIS.

PASQUIER.

The king has appointed the duke de Cazes his ambassador to the court of London.

The duke of Richelieu is appointed minister of state and president of the council of ministers.

SPAIN.

We have still later accounts from Spain. The facts stated in our last, as to the patriots being in possession of Algeiras, St. Roque and Malaga, appear to be amply confirmed. Their numbers were increasing, at the last date estimated at 25,000 men, amply supplied with every thing they wished for, and under the best discipline—well paid, well clothed and with plenty of arms and ammunition, all at the cost of the king, whose property they had made very free with, though they carefully respected the rights of private individuals. A party of them had had a battle with the royalists near the Isla—the latter were defeated with the loss of 1000 men, and the remainder, 2000, immediately joined them. The spirit is spreading; Valencia is said to have commenced a revolution, and other provinces were about to follow. The king, it was reported had said that rather than acknowledge a constitutional government he would abandon the kingdom, and live on his private fortune. It was not known at Gibraltar on the 20th of Feb. that Cadiz had surrendered to the patriots. It probably still adhered to Ferdinand.

We have a report that Catalonia and Galicia and several other provinces, have publicly declared for the constitution.

SOUTH AMERICA.

The Spanish 74, San Telmo, which sailed from Cadiz was supposed to have foundered, having

been left making much water, and rudder lost, by a ship arrived at Callao from Cadiz with a cargo worth 7,500,000 dollars.* She got into Callao during an absence of seven days of lord Cochrane's squadron, which went to a small port at the south to repair damages, sustained in an unsuccessful attack. The frigate Prueba had escaped from Callao, and gone to Guayaquil.

CONGRESS.

IN THE SENATE.

March 30. We have already given, in page 95, the yeas and nays of the senate, on rejecting the bankrupt law. The following was the state of the votes on a proposition to postpone the bill to the next session—

YEAS—Messrs. Barbour, Eaton, Johnson, of Ken. Johnson, of Lou. King, of Alab. Leake, Logan, Macon, Morrill, Noble, Palmer, Pleasant, Ruggles, Smith, Taylor, Walker, of Alab. Walker, of Geo. Williams, of Tenn. Wilson—19.

NAYS—Messrs. Brown, Burrill, Dana, Dickerson, Edwards, Elliot, Gaillard, Hunter, King, of N. Y. Looman, Lowrie, Melles, Otis, Parrot, Pinkney, Roberts, Sanford, Stokes, Tichenor, Trimble, Van Dyke, Williams, of Miss.—22.

March 31. The senate spent considerable time on the bill providing summary process for the collection of debts due the United States by defaulters, &c. Postponed until Monday.

Mr. Otis moved a reconsideration of the bankrupt bill, which was yesterday indefinitely postponed.

In the debate on this subject, **Mr. King**, of N. Y. said, if there was any possibility, on a revision of the subject, of coming to a favorable conclusion, it ought to be tried. We, said **Mr. K.** have given to gentlemen on the other side evidence of a willingness to afford relief to one part of the country; and have passed a bill extending a liberal indulgence [to the purchasers of public lands.] Even in regard to the large and embarrassing debt due in Alabama, there was a disposition to afford relief. He referred to the extent of the distress which demanded relief from the bankrupt act, and to the manner in which that distress was incurred, to shew that it was eminently entitled to the favorable consideration of the senate. One remark he would add, on the subject—it was, that for the 3 years succeeding the late war, one half of the money arising from importations had gone into the treasury of the nation—the government lost nothing—yet it was these very importations that brought ruin on many of those who now solicited the relief of this act.

Mr. King, of Alab. was in favor of a bankrupt law, if confined to the trading part of the community. He believed it proper to give them the relief asked for; it was due to them on account of the debts which they owed abroad, and which no other means would relieve them from; and, as foreign debtors could by their bankrupt laws free themselves from debts due to our merchants, justice required that the latter should have the same privilege when misfortunes rendered it desirable. He could not, however, vote for a system similar to that which had been rejected, extending it to all classes—it would be extremely injurious, if not ruinous, to the planters and farmers to be subjected to the operation of such a system.

The question being taken on the motion for reconsideration, it was decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. Burrill, Dana, Dickerson, Elliot, Hunter, King, of Alab. King, of N. Y. Looman, Melles, Otis, Parrot, Sanford, Stokes, Tichenor, Trimble, Van Dyke, Williams, of Miss.—17.

NAYS—Messrs. Eaton, Gaillard, Johnson, of Ken. Johnson, of

Lou. Leake, Logan, Lowrie, Macon, Morrill, Palmer, Pleasant, Roberts, Ruggles, Smith, Thomas, Walker, of Alab. Walker, of Geo. Williams, of Tenn. Wilson—19.

After some other business, the senate adjourned to Monday.

April 3. The senate resumed the consideration of the bill providing summary process for the recovery of debts due by defaulters, &c. to the government.

An amendment, offered by **Mr. Barbour**, was ordered to be printed, and the bill postponed until tomorrow.

The senate then took up the resolution submitted by **Mr. Johnson**, of Ky. on the 29th ult. to enquire into the expediency of giving to the district of Columbia a delegate on the floor of Congress.

After some remarks of **Mr. Johnson**, in favor, and of **Mr. King**, of N. Y. in opposition to the motion, it was agreed to—ayes 15, noes 14. **Mr. King** thought that this matter, as one of delicacy, should first be agitated in the other house—as the delegate, if authorised, would take his seat there.

Mr. Pleasant, from the committee on naval affairs, communicated to the senate a document, containing a plan (by lieut. Ramage, of the navy) for the defence of the commerce, and the protection of the revenue of the United States in the Gulf of Mexico, near the river Mississippi; which was read and ordered to be printed.

The senate resumed, as in committee of the whole, the bill more effectually to provide for the punishment of crimes against the United States, and for other purposes, (to revise and embody in one act various penal laws of the United States.)

The bill—consisting of thirty-three printed folio pages, and embracing a great mass of detail—was read through, and some progress made in the consideration of its provisions: when

The senate adjourned.

April 4. The senate were occupied almost the whole sitting, and until a late hour, on the amendments reported to the civil appropriation bill, by the committee of finance, and those offered to it by others. The bill has been ordered to a third reading as amended.

April 5. The bill from the house, making appropriations for the centre buildings of the capitol, was passed, with an appropriation of \$2,400 to make certain alterations in the senate chamber.

The civil appropriation bill was also read a third time, as amended, passed and sent to the house of representatives for concurrence in the amendments.

The senate took up the bill more effectually to provide for the punishment of certain crimes against the United States, (consolidating the penal acts of the union) - when,

On motion of **Mr. Wilson**, made on the ground that there was not at this session time enough to spare for properly considering the numerous provisions of this long bill, it was postponed to a day beyond the session, without objection.

The senate then resumed the consideration of the bill for the better organization of the treasury department, (providing summary process for the recovery of debts due by defaulters, &c.)

It was finally ordered to be engrossed for a third reading, by yeas and nays—yeas 28, nays 8.

Some time was spent in executive business—and the senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, March 30. The bill from the senate, further to suspend, for a limited time, the sale or forfeiture of lands for non-payment of the monies

*So in our copy—it is certainly wrong; possibly, 1,500,000 dollars.

due therefor, was read a third time—[And finally passed.]

The house resolved itself into a committee of the whole, (Mr. *Campbell*, in the chair) on the bill from the senate for the relief of certain persons who have paid duties on certain goods imported into Castine.

This bill embraces a case, in which, on the redelivery of Castine to the United States at the close of the late war, certain foreign goods were found there and duties thereon were levied by the collector of the United States, though the same goods had previously paid the duties levied thereon by the British authorities. Most of the persons concerned resisted the payment demanded by the United States officers; and, by a recent decision of the supreme court, they are exempted from the payment, on the ground of national law. Some, however, did pay their bonds; and this bill proposes, in order to place them on the same footing as those who resisted the payment, to refund from the treasury the amount of those bonds.

The discussion resulted in the committee's rising and reporting the bill, and obtaining leave to sit again.

Several bills, chiefly of a private nature, were ordered to a third reading.

Friday, March 31. Mr. *A. Smyth*, from the committee on military affairs, who were instructed to enquire into the expediency of providing for the payment for a gun and gun-carriage, taken by the enemy at the battle of *North-Point*, on the 12th of September, 1814, made an unfavorable report thereon; which was read and ordered to lie on the table.

Mr. *Randolph* made a motion that the house should adjourn—in respect to the day, (Good Friday)—negatively, only about 20 rising in favor of it.

The bill for the relief of *Delisle*, *Budley*, and *Van Cleef*, being read the third time, and the question stated on its passage,

Mr. *Cocke* moved that the bill be indefinitely postponed.

[This is a case in which the forfeiture has been incurred by the importation of six domestic servants (slaves) by a captain of a vessel from a foreign port, he being officially assured, by the consul of the U. States resident there, in writing, that there was nothing in the laws of the United States forbidding the importation of family slaves, by a person importing himself into the United States. The bill proposes a remission of the forfeiture thus incurred, without any intent to violate the law.]

The motion to postpone, brought on a debate of considerable extent on the merits of the bill—in which Messrs. *Slocumb*, *Foot*, *Settle*, *M' Lane*, *Smith*, of Md. *Brush*, *Tomlinson*, *Whitman*, *Storrs*, *Trimble*, *Rhea*, *Fuller*, *Taylor* and *Livermore*, took part.

The question on indefinite postponement was, at length decided in the negative, 89 to 67.

A doubt was then suggested by Mr. *Barbour*, whether congress possessed the power to remit that portion of the forfeiture which by law accrues to the informers or prosecutors of the alleged offence, and whether the bill therefore did not in this respect require a limitation to that portion of the penalty which accrued to the United States.

Hereupon further debate took place; and a motion was made by Mr. *Pindall* to recommit the bill, with instructions so to amend it as to remit only that portion of the forfeiture which has accrued to the use of the United States; which motion was decided affirmatively, by a vote of 64 to 52.

Eight bills of a private nature were read the third time and passed.

The house then proceeded, on motion of Mr. *Barbour*, to the consideration of the amendment reported by a select committee to the bill to amend the revolutionary pension law.

Several amendments were proposed and negatived—among them one to place the officers and soldiers of the revolutionary army on the same footing, as to the amount of pension—for it 62, against it 89. The yeas and nays were as follows:

YEAS—Messrs. *Alexander*, *Archer*, Md. *Archer*, Va. *Ball*, *Barbour*, *Beecher*, *Brevard*, *Brown*, *Bryan*, Bu. on. *Burwell*, *Campbell*, *Cannon*, *Cobb*, *Cocke*, *Cook*, *Crawford*, *Cuthbert*, *Davidson*, *Earle*, *Edwards*, of N. C. *Floyd*, *Folg*, *Groat*, *Pratt*, *Hall*, of N. C. *Hazard*, *Hendricks*, *Hooks*, *McCoy*, *McCreary*, *McLean*, of Ken. *Marchand*, *Metcalf*, *H. Moore*, *Overstreet*, *Parker*, of Va. *Plumer*, *Reed*, *Nich*, *Richards*, *Richmond*, *Robertson*, *Ross*, *Sawyer*, *Stiller*, *Shaw*, *Slocumb*, *B. Smith*, of Va. *Smith*, N. C. *Southard*, *Stevens*, *Strong*, of Va. *Strother*, *Sweet*, *Tiger*, *Tirrell*, *Tomlinson*, *Tucker*, of S. C. *Walker*, *Williams*, of N. C. *W. C. W.*

NAYS—Messrs. *Adams*, *Allan*, *Allen*, of N. Y. *Allen*, of Tenn. *Auderson*, *Baldwin*, *Batman*, *Bayly*, *Blountfield*, *Boden*, *Brush*, *Buffum*, *Buller*, of Lou. *Case*, *Clagett*, *Clark*, *Colpepper*, *Cushman*, *Darlington*, *Dewitt*, *Dickinson*, *Dawne*, *Eddy*, *Edwards*, of Con. *Fay*, *Foot*, *Ford*, *Forrest*, *Fuller*, *Fullerton*, *Hackley*, *Hall*, of N. Y. *Hill*, of Md. *Marlin*, *Hushman*, *Hill*, *Holmes*, *Hosetter*, *Jones*, of Va. *Jones*, of Tenn. *Kendall*, *K. M. Kinsey*, *Kinsley*, *Latthrop*, *Little*, *Linnell*, *Linn*, *Livermore*, *Lowndes*, *Macley*, *McLane*, of Del. *Mallory*, *Mason*, *Meach*, *Meigs*, *Merced*, *S. Moore*, *Monell*, *Morton*, *Murray*, *Neale*, *Nelson*, of Mass. *Nelson*, of Va. *Newton*, *Parker*, of Mass. *Patterson*, *Philson*, *Pindall*, *Pitcher*, *Quarles*, *Rhea*, *Rogers*, *Russ*, *Sampson*, *Silby*, *Smith*, *N. J. Smith*, *M. A. Smyth*, of Va. *Strong*, of N. Y. *Taylor*, *Tomlinson*, *Tracy*, *Tyler*, *Van Rensselaer*, *Wallace*, *Wendover*, *Whitman*, *Wood*—89.

Mr. *Cannon*, under the impression that the service of the militia had been of as much importance, and their sacrifices as great at least as those of the continental soldiers, moved to amend the bill by adding a new section, the object of which was to embrace in the provisions of the pension law the officers and soldiers of the militia who actually served for ——— months during the revolutionary war.

Mr. *Hardin* suggested that the proposition of the gentleman from Tennessee was incomplete. He ought to have connected with it, provisions for a direct tax or internal duties, which would be the necessary consequence of a measure that would add full five million to the present amount of expenditures under the pension act.

Mr. *Cannon* said, he would tell the gentleman, if congress went on with their present enormous expenditures, he should be ready, without this provision, for a direct tax. He placed his motion, he said, on the grounds of equality and justice, which appeared to him to sustain it.

The motion was negatived—only 5 or 6 rising in favor of it.

Mr. *Campbell* moved an amendment, that no application for a pension should be received after the first day of June, 1820. Negatived.

Mr. *Strother* then moved to strike out the whole of the bill, except the enacting clause, and to insert in lieu of it a provision for the total repeal of the revolutionary pension law.

Mr. *S.* said he voted for the law, without foreseeing the extent of its operation. Being convinced, now, that its benefits were not equal to its expensiveness, he made the best reparation he could to the country, by moving its repeal.

This motion was also negatived, for it 32, against it 122.

Several propositions to affect the general amount &c. of the pensions were negatived. Finally the bill was ordered to be engrossed for a third reading.

Saturday, April 1. Several reports on private claims were received, &c.

The bill from the senate, apportioning the representation in the next congress, from the states of Massachusetts and Maine, was reported by Mr. *Holmes*, from a select committee, without amendment, ordered to be read a third time, to-day, was

read accordingly, passed and returned to the senate.

Mr. *Randolph* moved to postpone *all* the orders of the day to take up the bill for the relief of the widow and children of the late com. Perry—negatived, 58 for, 64 against it.

The engrossed bill to amend the revolutionary pension law, was read the third time, and the question stated on its passage.

Hereupon considerable debate ensued. Different gentlemen were influenced by different opinions, as appeared on a motion for its indefinite postponement, which was negatived by yeas and nays—yeas 63, nays 96.

The amendment desired by Mr. *Barbour* was adopted by the house, by general consent, and obviated the necessity of recommitting it: and was, to insert a provision that, in those cases where any person who had relinquished a pension (as many invalid pensioners have) to take the benefit of the act of March 18, 1818, should be excluded from its benefit by the operation of this bill, the said person shall be forthwith restored to the pension list from which he had been transferred.

The bill was then passed by the following vote:

YEAS—Messrs. Alexander, Anderson, Archer of Maryland, Archer of Va., Ball, Barbour, Beecher, Bloomfield, Brevard, Brown, Bryant, Burton, Burwell, Butler, of N. H. Cannon, Cobb, Cooke, Crawford, Crowell, Culpepper, Cuthbert, Darlington, Davidson, Dickinson, Earle, Eddy, Edwards, of N. C. Fisher, Floyd, Folger, Fout, Forrest, Fullerton, Garnett, Hall, of N. Y. Hazard, Hendricks, Herrick, Hooks, Hostetter, Jones, of Tenn. Jones of Va., Kinsey, Lowndes, Lyman, Masley, McCoy, McLean, of Ken. Metcalf, Newton, Overstreet, Parker, of Va. Patterson, Philson, Rankin, Reed, Rhea, Richards, Robertson, Rosa, Russ, Sampson, Settle, Slocumb, Smith, of Md. B. Smith, of Va. A. Smyth, of Va. Smith, of N. C. Southard, Strother, Tarr, Terrill, Tomlinson, Tompkins, Trimble, Tucker, of Va. Tucker of S. C. Tyler, Warfield, Williams of N. C.—20.

NAYS—Messrs. Adams, Allen, of Mass. Allen, of N. Y. Allen of Tenn. Bakwin, Bateman, Bayly, Boden, Brush, Buffum, Case, Elagert, Clark, Cook, Crafts, Culbreth, Cushman, Dewitt, Dowse, Edwards, of Conn. Edwards, of Penn. Fay, Fuller, Gross, N. Y. Gross, of Penn. Hackley, Hall, of Del. Hardin, Hemphill, Hibbman, Hill, Holmes, Kendall, Kent, Kinsley, Lathrop, Lincoln, Linn, Livermore, McCreary, Mallory, Mason, Meigs, R. Moore, S. Moore, Monell, Morton, Mosely, Murray, Nale, Nelson, of Mass. Nelson, of Va. Parker, of Mass. Phelps, Pindall, Fitcher, Plumer, Rich, Rogers, Sibley, Sloan, Stevens, Storrs, Strong, of N. Y. Swearingen, Taylor, Tracy, Van Kenseleer, Wallace, Wendover, Whitman, Wood—72.

The bill was ordered to be sent to the senate for concurrence; and

The house adjourned.

[It appears to us that this vote should not be considered as conclusive of the opinions of the members generally, as to the *principle* of pensions of the soldiers of the revolution, in need of the same. Some wished to abrogate the law altogether, others wished it to stand as it was—some were in favor of explaining its intent and meaning more clearly, and others thought that the provisions of this bill were better than none—and so forth.]

En. Res.

Monday, April 3. Mr. *Pindall*, of Virginia, offered for consideration the following resolution, in support of which he made some remarks, referring to the current report that an act of the description therein referred to had recently passed the legislature of Pennsylvania:

Resolved, That the secretary of the treasury be instructed to procure and transmit to this house, as soon as practicable, a copy of such late act or acts of the Pennsylvania legislature as prohibit or restrain the justices, aldermen, or other magistrates or officers of that state from interposing in the apprehension or surrender of fugitive slaves, [or from carrying into effect the act of congress, entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," passed on the 12th of February, 1793.]

Mr. *Machon*, of Pennsylvania, suggested, that, if the object of the motion was only to obtain a copy

of the act, the latter clause of the resolve was unnecessary—and he wished to see it expunged, because he did not think that any act had passed the legislature, prohibiting the state officers from carrying into effect the act of congress.

To obviate this objection, Mr. *Pindall* consented to modify his motion so as to omit the clause within brackets, at the close of the above resolve.

The resolve was then amended, on motion, by adding to the end of the resolution the words following: "*Provided, any such act or acts shall have been passed.*"

Mr. *S. Moore*, then moved to lay the resolution on the table; which motion was opposed by Mr. *Strother*, and it was negatived, and

The resolution was agreed to.

The committee of the whole was discharged from the further consideration of the bill for the relief of certain persons who had paid duties at Castine, and it was referred to the committee of ways and means with certain instructions.

The bill for the relief of Delisle, Dudley, and Van Cleef, providing for the remission of a forfeiture incurred by an accidental importation of six slaves, in the brig Sally, was read a third time; and the yeas and nays on its passage being required by Mr. *Tracy*, were as follow:

For the bill, 85

Against the bill, 73

So the bill was passed, and sent to the senate for concurrence in the amendment, which limits the remission to so much of the forfeiture as accrues to the United States.

The house then resolved itself into a committee of the whole, Mr. *Taylor*, of New York, in the chair, on the state of the union; and

The committee proceeded to the consideration of the following resolutions, which were some days ago submitted by Mr. *Clay* on Tuesday, the 28th ult. See last number, page 95. Mr. *C.* spoke an hour and a half in support of these resolutions generally, and Mr. *Lowndes* commenced a speech in reply. The committee rose at a late hour;

And the house adjourned.

Previously to the rising of the committee, Mr. *Clay* submitted the following resolves, with an intimation that, should the business of the house permit, he should call them up at a future day:

Resolved, That it is expedient to provide by law a suitable outfit and salary for such minister or ministers, as the president, by and with the advice and consent of the senate, may send to any of the governments of South America which have established and are maintaining, their independence on Spain.

Resolved, that provision ought to be made for requesting of the president of the United States, to cause to be presented to the general the most worthy and distinguished, in his opinion, in the service of any of the independent governments of South America, the sword which was given by the viceroy of Lima to captain Biddle, of the Ontario, during his late cruise in the Pacific, and which is now in the office of the department of state, with the expression of the wish of the congress of the United States that it may be employed in the support and preservation of the liberties and independence of his country.

The house adjourned at 5 o'clock.

Tuesday, April 4. Mr. *Smith*, of Maryland, from the committee of ways and means, to which was yesterday recommitteed, with instructions, the bill from the senate for the relief of certain persons who have paid duties on goods imported into Cas-

line," reported the same with amendments; which, with the bill, were ordered to lie on the table.

Mr. *Anderson* submitted for consideration the following resolution:

Resolved, That a sum not exceeding one hundred thousand dollars be appropriated for the purchase of stock in the Kentucky Ohio canal company, engaged for the purpose of cutting a canal around the falls of the Ohio river, at Louisville.

The resolution was read, and a motion was made that it be committed to the committee of the whole to which is committed the bill providing for the preservation and repair of the Cumberland road. [Agreed to].

On motion of Mr. *Fuller*, it was

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of providing by law for the investigation of the claims of individuals upon the United States, by petition of right, or other proper process, in the district or circuit courts, or in some tribunal to be established for that purpose, so as to ensure a speedy decision of such claims, upon the principles of justice and equity.

The house then again resolved itself into a committee of the whole, Mr. *Taylor* in the chair, on the resolutions submitted by Mr. *Clay*, respecting the treaty-making power, and particularly respecting the treaty with Spain, yet unratified by Spain.

Mr. *Louwides* concluded his remarks, going to shew why the resolutions should not be acted on. He spoke for about half an hour.

Messrs. *Archer* and *Trimble* supported the resolves--Messrs. *Anderson*, *Rhea* and *Brush* spoke in opposition to them, and Mr. *Clay* rejoined.

Wednesday, April 5. On the motion of Mr. *Morton*, a committee was appointed to enquire into the expediency of providing for an earlier commencement of the next session of congress than at the stated period.

The bill (as amended), for the relief of certain persons at Castine, was ordered to be read a third time.

Much time was spent in considering the amendments of the senate to the annual military appropriation bill.

[There are two amendments: the first increasing the appropriation for clothing from 300,000 to 430,000 dollars:—and the second increasing that for the quarter master general's department, from 450,000 to 500,000 dollars.]

Both of these amendments were disagreed to—there seems to be a decisive majority against the prosecution of the Missouri expedition so far as the mouth of the Yellow Stone river.

THURSDAY'S PROCEEDINGS.

In the senate, the most material business transacted this day, was on a bill, reported in pursuance of the motion of Mr. *King*, of N. Y. on the 14th ult. in relation to the British colonial trade—which, after debate, was laid over until to-morrow.

The engrossed bill for the better organization of the treasury department, was passed—19 to 9.

In the house of representatives, a good deal of business was transacted, but nothing of much general importance done. The details hereafter.

CHRONICLE.

Henry Middleton, of South Carolina, formerly governor, and recently a member of congress, from that state, has been appointed by the president.

with the consent of the senate, to be envoy extraordinary and minister plenipotentiary to the court of Russia, in the place of Mr. *Campbell*, resigned.

Fires. The new theatre at Philadelphia, a mighty pile of buildings, with its contents, was entirely consumed on Sunday night last. The progress of the flames was so rapid and the heat so intense, that all efforts to save it were fruitless. Several adjacent houses were much injured. There must have been a vast body of flame. It seems indubitable that this was the work of an incendiary—the fire was put to an adjoining building, which communicated with the theatre.

A valuable building, at Georgetown, District of Col. occupied by maj. John Peter, and owned by H. Foxall, esq. was consumed by fire on Saturday night last, with its contents. Aggregate loss estimated at from 20 to 25,000 dollars.

United States bank stock. In the REGISTER of Sept. 18, 1819—see last volume, page 33, we published a curious article headed "how to get it up the ladder," in which the stock of this bank, as reported daily in the newspapers, was laughably raised up to par, without, except in one solitary case, its being even said that a sale had been effected!—The present quoted price of the stock is from 92½ to 94—what the real price is we do not know. The National Intelligencer expresses surprise at this depression of price, seeing that the U. S. six per cent. stocks are at about four per cent above par.—We do not discover any reason for surprise in this, for reasons that must be familiar to every body, though the United States must pay 750,000 dollars to the bank, as interest on our 5 per cent. stock in it, "for nothing at all."

Death warrants, for the execution of John F. Ferguson and Israel Denny, two of the persons convicted of piracy and now confined in Baltimore jail, have been received by the marshal of the district of Maryland. They are to be executed on the 13th inst.

The steam boat *Columbus* from New Orleans to Shippingport, was lately perforated by a snag, and saved from sinking by having a snag room, which apartment was only filled with water.

A *Montreal* paper gives a report, that five companies of the 60th regiment, at Quebec, and a like force from Montreal, are to proceed to the Isle of Noix, to increase the fortifications commenced by the United States.

At the last meeting of *The Columbian Institute*, some valuable specimens of *American plants*, beautifully preserved, were presented by Dr. *Darlington*, a representative in congress from Pennsylvania; and several fine specimens of *American minerals*, chiefly collected in the valley of the Mississippi, by Mr. *Schoolcraft*, the ingenious author of a work which has lately appeared on the lead mines of Missouri and natural history, &c. of the western country.

A great voyage. The steam boat *Manhattan*, has arrived a Shawneetown, Illinois, from New York, with a cargo of goods. Freight from New York, three dollars per cwt.

Indian treaty. A treaty between the U. States and the Chippewa nation of Indians has been ratified by the president and senate. It cedes a large tract of land in the territory of Michigan, making however, many reservations in favor of certain chiefs. In consideration of this cession the tribe is to receive an annuity of \$1000 in silver, forever.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 7—VOL. VI.] BALTIMORE, APRIL 15, 1820. [No. 7—VOL. XVIII. WHOLE No. 449

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Though we are assisted by a SUPPLEMENT of eight pages this week, a great many articles which we were desirous to have inserted in this publication, are still postponed.

A letter from "A former correspondent," has been attended to, in a way that probably will be most efficient to correct the abuses complained of. The subject shall be kept in memory.

Debate on the Missouri question. This debate shall be preserved in the REGISTER, as originally proposed. Not more than two of the speeches which we have supposed would give the best views of both sides of the subject, have yet been published in the *National Intelligencer*—overburthened as it is with matter, and hard-pressed to get along with the current things of the times. Nor indeed, have we room at present to insert the debate, even if the desired speeches were at hand.

Gen. Fives, the new Spanish minister, arrived at Washington on Sunday last, presented himself at the office of the secretary of state on Tuesday, and was received in his official capacity. The Washington City Gazette says—"It is reported that he is the bearer of the ratification of the Spanish treaty, ceding the Floridas to us—and that the explanations required are very unimportant."

THE "CAUCUS." We were as sorry to see this awkward work *naturalized* by a "demi-semi" official publication of a member of congress, inserted in our last paper, as to observe that any one entertained the idea of perpetuating an unwarrantable method of attempting to impose a president and vice president on the people of the United States. When nominations are necessary, —(and I think that they have been necessary and may be so again), it is to be hoped that they will not be made by *members of congress*. Let these, like *Cæsar's wife*, be not only pure but unsuspected.

We are truly glad that the proposed "caucus" has completely failed. The following miserable accounts of the affair is from the *National Intelligencer*. We agree in acquitting *gen. Smith* of any sinister view in calling it—but have seen it mentioned in some of the newspapers, that it was the design of certain persons to have given to both officers *one* geographical location, by which it is probable that the re-election of *Mr. Monroe* might have been hazarded, though no person, (as we have heard of) had been contemplated to run against him, on the present occasion.

From the National Intelligencer of the 10th inst. We have not received, from authority, any account of what took place at the meeting of members of congress on Saturday last, convened, by public notice, for the purpose of considering the expediency of making a nomination of suitable persons as candidates for the presidency and vice presidency of the United States. We learn, generally, that the meeting was thin, about fifty members only being present. The evening indeed was one of the most unfavorable for the meeting that could be imagined, pouring rain the whole time. *Mr. Nelson*, of Virginia, was called to the chair; and it was determined.

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ed, in effect, but in what form we know not, that it was inexpedient for the members then assembled to proceed to make a nomination.

From the same of the 11th. In pursuance of the invitation published in the *Intelligencer* of the 5th instant, a number of the members of both houses of congress having assembled in the hall of the house of representatives, the following resolutions were submitted, and agreed to without opposition:

Resolved, That this meeting deem it not necessary to proceed to the recommendation of suitable persons to fill the offices of president and vice president of the United States.

Resolved, That this meeting be adjourned, *sine die*.

The following are the remarks of the editors. Above our readers have, from the proper authority, an account of the proceedings of the meeting of members of congress on Saturday evening last. We will add nothing to it, but that, we understand, the delegations from several of the states held separate meetings in the course of Saturday, and determined not to attend the meeting. For example, we have understood that no member was present from North Carolina or Pennsylvania; two only from Virginia, and one or two from Massachusetts. It is not believed, however, that hostility to the practice of making nominations was the only motive which led to this determination.

Some have imputed blame to the gentleman who called this meeting—very unjustly, in our view. He was, we know, urged to do it by some among the most respectable members of congress; and, according to usage—if precedent governs in a case, the very existence of which depends on precedent—he could not well have declined a compliance with such a request as was made. The character of *gen. Smith* is a sufficient guarantee for the correctness of his intentions.

PROBABLE POPULATION.—*Mr. Lyon*, (col. Matthew Lyon, it is presumed), has addressed a long letter to me, through the *Lexington Reporter*, on the article which appeared in the REGISTER of the 26th Feb. under the head of "Compromise on the Missouri Question."

I have not room to insert this letter just now, nor time to point out the mistakes into which I think col. Lyon has fallen. At a season of more leisure I may take it up again—for, though the question is decided, the effect of slavery on the free population of a country is a matter well worth enquiring into. The colonel is opposed either to compromise or restriction, and makes it out that the slave-holding states have increased faster in their white population than the non slave-holding states—the reverse of what believe is the fact. The difference between us, in this respect, appears chiefly to arise from our different views of the force and current of emigration, on the increased numbers in the new states, &c. Col. Lyon professes himself a warm friend to emancipation, but believes that the dispersion of the slave population is expedient, and beneficial to them and the free whites.

ALABAMA. The legislature of this state have passed an act making it obligatory on the captain

of every company of militia, to cause a complete list of all the male persons within his district liable to perform patrol duty, (in which are included all persons who hold slaves, except those who are ensigns and above that grade in military rank), a party of whom shall serve in rotation, two detachments at a time, whose duty it shall be "to visit all negro quarters, all places suspected of entertaining unlawful assemblies of slaves, or other disorderly persons unlawfully assembled," and to take them before a justice of the peace, &c. Heavy fines are enacted for non-compliance, personally or by substitute. Thus, already does this young state appear to be endangered by the "diffusion of the slaves;" and we are told by the editor of the "Blakeley Sun" that this law is of "great importance"—that "every citizen is concerned in its execution," &c. What a pity, that even the *pretence* of a necessity for such a law should exist!

THE NAVY. Whatever difference of opinion may exist as to the extent to which our naval establishment shall proceed, (though it is evidently the national will that it should be respectable), it must needs be the desire of every reflecting citizen to render it *efficient*. This is true economy in all respects. It is much cheaper for the United States to build a ship of the best quality, that will last for many years, than to build one at a less amount of cost, which will perish in a short time—the repairs of the latter begin, also, to be extensive in two or three years, and finally amount to almost as much *annually* as the vessel is really worth. A thing "once well done is twice done." And, when we have a good ship, she should be well taken care of—not suffered to decay by neglect. If our vessels are sent to sea, they ought to be completely equipped, to meet every contingency of storm or battle, if possible, that they and their crews may not be lost by casualty or combat. Apart from the *national feeling* so deeply interested in this matter, it is truly a money-saving affair, that our ships should be so conditioned, if practicable, that they may equally resist the "war of elements," beat an equal, and escape from a superior force. Our officers and seamen, certainly, cannot be surpassed for skill and courage, and their discipline too is exceeding exact; but,—"let seamanship do all it can," if the *means* be not provided, these are of little avail. Cannon are as harmless things as "logs of maple." It is the *use* of them that renders them formidable.

We have oftentimes heard it said by those who ought to know the merits of the case, that the equipment of our public vessels has probably arrived as nearly at perfection as, in the present most improved state of the arts, it is practicable to attain. There is "a place for every thing, and every thing in its place." All that belongs to a ship, from her keel to a marline spike, her mainmast to the bucket-rope, her 42-pounders to the smallest weapon used, is laid down with astonishing perspicuity, as to dimension, strength, location, &c. And as the classes of our navy are now fixed, whatsoever belongs to any ship of a certain class will equally as well suit another of the same class; and the seamen, if transferred from one to another, are at home immediately—they have nothing to learn but the names and rank of their officers. The advantages of these things are too evident to need remark. And it is to this wonderful equipment, together with a perfect knowledge of the *use* of means, that we are indebted for the singular preservation of our public ships and seamen, liable to so many casualties. The rules to keep the crew in good health, are just as ex-

act as those prescribed for battle. The result of all this is, that *any* vessel belonging to the United States is, at all times, considered a full match for any other of the same class, no matter how superior the latter may be supposed to be compared with others of the same nation. Every vessel that we have is *efficient*, and emphatically "counts one," except built for temporary purposes on the lakes.

The skill and experience of our officers and men, together with their chivalric courage, but partially assisted by general regulations, did much before and during the late war to give our navy pre-eminence. But their various opinions produced a sort of insubordination or qualified confusion, as applied to the navy in the aggregate—which, though not productive, perhaps, of the loss of any ship, must necessarily have greatly increased the labor and cost of preparing any one for service. "Contrivance is half work," and an imperfect *system* is better than none. Our system, however, is the result of the combined talents of practical men, in every branch or department of the service, collected, digested and arranged by the navy commissioners, whose knowledge in naval affairs are of the highest order, and whose zeal for the service cannot be doubted. They have brought to their aid the opinions of others, and the book of rules and regulations for the navy, which has been sanctioned by congress, is a monument of their industry and talents.

An idea of the precision which prevails in the naval establishment, may be gathered from the table inserted in the supplement to the present number, page 132, shewing the proof required for cannon before they are received into the service; which we have given as a curiosity that will not fail to interest a large number of our readers, when they recollect that all else belonging to the equipment of a ship is prescribed with the same nicety of regulation.

THE NEW TARIFF. After being postponed for two weeks, we present to our readers, in the supplementary sheet, the important bill lately reported to the house of representatives, by Mr. Baldwin, from the committee on manufactures. We do not insert it, because we think that it will pass; but to present a view of a system which, we believe, would do incalculable good to the people of the United States, and invigorate their government.

I would not wrong any man by unjust suspicions; but it seems to me that a premeditated design exists among certain members of congress, to waste the time that might be spared from the ordinary business of the present session, to prevent any thing from being done in favor of domestic industry—as if it were a *political* scheme in some persons from a certain section of our country, to lessen the prosperity and consequent power of those in another. I am sorry that I feel it my duty to express this opinion. It is not given without reflection.

In the year 1817, (see REGISTER, vol. XII. page 225), we endeavored to shew the distinction between *statesmen* and *politicians*. The first regard the good of the whole, the second the interests of a part; or, are even content with *working themselves* into some pitiful office, or in obtaining one for a son, brother or cousin. When congress shall legislate by geographical boundaries in all great cases, as they did on the *extreme* case respecting the extension of slavery, the union will become as a rope of sand—and it appears that some are trying to render it so. It is unfortunate to all of us, that such persons have facilities for acting together, that those opposed to them do not possess—because one acts by *party*, the

other on *principle*. When party prevails, individual principle is oftentimes sacrificed to it, and men give up their honest convictions to the keeping of others, as leaders. But when the propriety of a thing is the rule by which it is to be acted upon, men's opinions will differ, and it is no easy matter to concentrate and consolidate them. Every statesman marks out a road for himself, and reflects at each step that he takes; but politicians go in crowds, and leave the trouble of thinking to their head-men, who contrive the course and call on them to follow! 'The latter will yield much to promote the general good; the other will grant nothing that is *said* to be detrimental to his party.

We have always held an opinion, that the people of the United States possessed a community of interests, in a very remarkable manner. A late "distracting question" has shewn us that, in one respect, at least, we were considerably mistaken: but that question is settled, unless some fresh cause is started to revive it, with ten-fold animosities. It is an indubitable fact, that our present plans for raising a revenue operate unjustly; nor is it less certain, that they will prove insufficient to the public expenses, unless some great change is effected by which the laboring capacity of the nation can be brought into action. The great consumers of foreign goods, deprived of their usual means, are compelled to abstain from a free use of them. It has become a serious affair to the laboring man to purchase himself a new garment—his wages, on an average, do not produce him half so much as they did, and he is continually *uncertain* as to obtaining even that. Many of the mechanical professions have equally declined—as an instance, though our population is one half greater than it was ten years ago, it is certainly a fact, that the printing of books is not now half so extensive as it was then. The desire to read is not lessened, but the means of purchasing are denied—the most common school books are a drug. Hatters, shoe-makers, and tailors, and even blacksmiths, whose work seemed to be indispensable, have lost, in general, much of their former businesses—from a fourth to one half. This is the result of necessity—and those who might purchase, abstain, in looking to a fearful future. In this state of things, it is impossible that the former amount of revenue should be derived from imports, which is also materially affected by an extensive *barter* of the labor of one man for that of another, which we knew but little of ten or twelve years ago. We must either revive the industry of the country, to enable the government to rub along under its present system, or materially reduce its expenses; and the latter will not avail without a direct tax, if retrenchment, the offspring of poverty, is pushed further by a mistaken policy. And again, a spirit of opposition to government has gone abroad—tens of thousands are consuming domestic goods for the sake of *political* principle—they will not support a government that does not support them; they will not contribute to a revenue so unjustly raised and so severely injurious. All these things will effect this—that those opposed to the encouragement of domestic industry, lest they should be compelled to pay a tax proportioned to their power under the constitution, will make such tax inevitably necessary, and when they *feel* it, as they must, do in the present want of circulation for money—they will change their opinions, and give us their strength to find employment for every man willing to labor, at a fair price. So we do not despair—suffering will accomplish what has been denied to a sound economy, and as the fact becomes evident

that the interests of agriculture and manufactures are not in opposition, but in concord.

While on this subject, we may notice a singular advertisement which appeared in the (Baltimore) *Federal Gazette* of Saturday last, a part of which is as follows.

"MISSOURI,

"To southern and western planters.

"For sale—One hundred prime Virginia horn SLAVES, the property of a planter who is contracting the scale of his business, and does not choose that ALL the produce of his land and labor should go into pockets of manufacturers or fund holders. These slaves will be sold all together, or in families, to suit purchasers. Conditions—CASH and removal, not south of the state of Georgia. The condition of their removal is for their own accommodation.

"N. B. No proposals from any slave trader will be attended to.

"The proprietor of this property would give a credit to any *PLANTER*, on receiving satisfactory [i. e. landed] security. No bank notes, bank stock, six per cent. three per cent. or other evidence of debt, public or private, domestic or foreign, will be received in payment, but *coin* or *bullion* will be taken at their lawful value or market price respectively. British or Portuguese gold, or Spanish milled dollars would be preferred.

"Applications from planters in person, or by letter, post paid, addressed to the editor of the Richmond Enquirer, in Richmond, or to the editor of the Federal Gazette, will be promptly attended to and answered."

The advertiser is understood to be Mr. John Randolph, of the house of representatives of the United States—we venture to say, if he for himself avoids the "manufacturers" to the amount of 15 or 20 dollars a year, he will soon pay to the "fundholders" several hundreds, per annum, in spite of all his ingenuity, unless he disposes also of his land.

Since the preceding was written, the following was received. It happily elucidates some of the points assumed.

FINANCIAL.—An intelligent correspondent, in the District of Columbia, has addressed a letter to me on the state of our finances, in substance as follows: By the passage of the appropriation bills, it will be seen that congress has granted nearly all that was asked for by the different departments, with a few trifling deductions; yet there is no proposition or thought of assisting the revenue by direct taxes or internal duties. Money must be borrowed and the people's land and labor pledged for its repayment. More than *five millions* must be had, or the government will stop payment before the end of the present year. They talk about taking a part of the sinking fund to supply the deficiency—fallacious idea!—the *whole* receipts into the treasury will be insufficient to meet the authorised expenses of government, including the interest on the public debt and the reimbursement of that part of the principal which the national faith is pledged to pay. In this case, how can an *appropriation* from the sinking fund amount to any thing—an appropriation is not *money*. That which is not cannot be given.

Concerning the 'sinking fund' and 'surplus fund,' about which so much has been said by men who *ought* to understand the subject, our correspondent intimates that he will speak hereafter. He warns us not to be deceived by the last named 'fund,' saying that it is 'a nominal account on the treasury books, and for the purpose only of closing others; altogether a creditor account, to which the unpaid balances of appropriations are, after a li-

mitted time, carried; whereupon the accounts of those appropriations (if there be no subsequent appropriations for the same objects), are closed, and the appropriations themselves cease and determine.

He then proceeds to shew that it will require at least nine millions, out of the annual appropriation of ten, for the payment of interest and reimbursement of principal of the public debt, although the commissioners of the sinking fund shall not purchase one dollar of stock. Speaking of the revenue and expenditures of the present year, the secretary of the treasury says, "after paying the interest and reimbursement of the public debt, and redeeming the remainder of the Louisiana stock, about two million five hundred thousand dollars of the sinking fund will remain without application, if the price of the public stocks should continue above the prices at which the commissioners of the sinking fund are authorised to purchase." This statement is presumed to be bottomed on the idea of all the instalments, then due on the Louisiana debt, being paid—which, however, is not the fact, as appears by the last annual report of the commissioners of the sinking fund.

By this report, page 30, it is shewn—

1. That there remained due and to be paid on account of the first moiety of the Louisiana stock, in 1818,	\$259,750 00
2. That there remained yet due, and to be paid, of the 54 per cent. of the same stock, unpaid on the 1st Oct. 1819, and which 54 per cent. amounting to \$2,601,817 15, was payable on the 21st Oct. 1819, the sum of	1,586,367 42
3. That the residue of this stock was payable on the 21st of Oct. 1820, amounting to	2,216,462 77
Whole amount yet due on the Louisiana debt, and payable in 1820,	3,826,580 19
4. To which add the interest on the whole public debt, at least	5,200,000 00

Making, 9,062,580 19

Requiring, as aforesaid, at least nine millions in the present year, to pay the claims on the treasury on account of the public debt, exclusive of any stock which the commissioners of the sinking fund may be obliged, by its price, to purchase.

He then goes on to state, that at least five millions of dollars must be borrowed for the service of the present year. He expresses an opinion that the estimated receipts from the customs will not be realized—"it is impossible to continue to import so great an amount without increasing our exports." The revenue from the customs in 1817 was 17 million—how can they be estimated at 19 millions in 1820? He supposes that they will fall short of the estimate by not less than two or three millions; and adds, "be this may, the deficit of the present year will amount to five millions, as stated."

Silver mine in Ohio!

ADDRESSED TO THE EDITOR OF THE REGISTER.

Zanesville, March 27, 1820.

"MY DEAR SIR—I embrace this opportunity to perform, or at least to attempt the performance of, the promise I made respecting our mining projects in this vicinity. The exact date of the origin of this mining speculation I do not remember, but the circumstances are these:

Mr. Samuel Chandler, the owner of a farm 11

miles from Zanesville, had long been boring on his premises for salt, in the course of which a great variety of matter had been successively brought to the surface of the earth and carelessly thrown together in a heap, and exposed to the weather. Among those who occasionally visited Mr. Chandler, was a gentleman well versed in chemistry and somewhat acquainted with mineralogy. When this gentleman inspected the heap above mentioned, he thought some particles of it resembled silver, and in order to satisfy himself, he collected as much as he could rake out, and carried it to a silver-smith, who put it into a crucible, and presently produced a lump of pure silver—at least as pure as the coin in circulation. The report was immediately current that a very rich silver mine was discovered at Chandler's salt works, and in a few days the most interesting particulars relating to it were published in the Zanesville Express. Cupidity being thus awakened, a company of stockholders was formed—the stock divided into 100 shares, at 500 dollars each, and in a short time, there was no stock for sale! It had all been engrossed by a few of the most eager speculators. This directly raised the price, and as there were still many persons desirous of participating in the expected treasure, the most exorbitant advances were demanded. It was now confidently asserted, that the vein of ore was not only rich, but 6 feet 7 inches thick, and it was estimated that a fund of 5000 dollars, raised by assessment on the shares, would be sufficient to defray all the expenses of bringing it to the surface. Some proposed to bore a-new in order to ascertain the course of the vein; but the majority of the managers decided on sinking a shaft without any further examination. In the mean time, some of the original stockholders began to accommodate their neighbours with stock, at various rates of advance. One, possessing 5 shares, sold out 2 of them at the price of the whole 5—that is to say, the purchaser on obtaining the 2 shares, engaged to pay all the assessments on 5. Another, also holding 5 shares, sold 2½ for the price of the whole 5.—While these apparent sales were going on here and at Marietta, some of the most active and influential were despatched to Columbus, where they beset the legislature (then sitting), for an act of incorporation, which soon passed the two houses. The company I understand, is now busily engaged in sinking a shaft to bring up the hidden treasure—otherwise, the whole business would probably sink into oblivion, for scarcely any one mentions it now-a-days.

However, since the establishment of this company, another has been recently formed, consisting of eight persons, who have undertaken at their own expense, to penetrate the earth and rock, at about 40 feet distant from the first perforation. They are very sanguine in their expectation of striking the same vein of ore at a much less depth than the former. They offer no stock for sale, but depend entirely on the success of their enterprise to reimburse their expenses and fill their coffers with wealth.

On the first rumors of the immense quantity of silver ore found in this country, I began to lament it as the greatest misfortune (without exception), which could befall us, but my fears have subsided. I no longer dread the probability of being overwhelmed with real money. You will readily trace my fears to the disastrous consequences of a superabundance of the precious metals, as paralysing the efforts of useful, homely industry, and inducing habits of idleness, luxury and dissipation. But there is no fear, in my opinion; some will play and others will pay, till the bubble bursts."

Bank of the United States.

Attached to the report of the secretary of the treasury on a national currency, &c. see page 75, is a general statement of the affairs of the bank of the United States in the month of September, 1819 --we have now a similar statement of the condition of the bank in November last. A brief notice of the changes that took place in these three months, may be useful in determining the progress of the institution, &c.

	Sept. 1819.	Nov. 1819.
Dr.		
Funded debt, U. S. various	7,252,501	7,195,355
Louisiana 54 per cent.		1,854,578
Discounts--on personal security	21,326,128	20,897,738
do. on fund'd debt	329,084	146,797
do. and bank stock	7,037,515	7,081,785
Bills of exchange, foreign and domestic	1,513,158	1,410,003
Due Baring, &c.	94,504	15,161
Over drafts		308,130
Debt of S. Smith & Buchanan, George Wil-		
liams and J. W. McCulloch		1,540,000
Offices of discount and deposit	32,967,712	15,699,951
State banks	2,944,600	2,482,340
Real estate and permanent expenses	780,992	818,964
Expenses		
Cash--viz. deficiencies	70,936	130,077
---notes of the bank of U. S. and branches	146,454	130,868
---do. of state banks	10,532,147	17,648,671
Specie	1,133,933	1,560,593
	3,254,479	3,116,248
	89,464,100	75,025,495

Cr.		
Capital stock	34,973,818	34,074,088
Bank and branch notes	14,392,258	14,537,738
Dividends unclaimed	33,814	31,051
Discount, exchange and interest	465,088	829,946
Profit and loss	1,104,932	1,099,435
Due bank and officers	\$2. 01. 135	15,478,251
State banks	675,818	1,006,914
Baring, Brothers, &c.	142,040	2,053,650
Pr-miums and damages, &c.	43,410	23,301
Bills of exchange of S. Smith & Buchanan	37,355	37,153
Deposites		
Treasurer of the U. S.	1,097,163	656,316
Public offices	1,765,800	1,499,180
Individuals	2,631,453	2,789,437
	89,464,100	75,025,495

British Settlement in Illinois.

The country inhabited by Mr. Birkbeck and his associates, has been represented as very unhealthy --perhaps, with the view of preventing other emigrants from joining them, who might otherwise be disposed so to do. To correct such impressions, we have been requested to publish the following facts, stated on the authority of the practising physician there, and which we rely upon as being literally true.--For it is not to be supposed that any one pretending to the character of a gentleman, would subject himself to a denial of facts in a case where the truth is so easily ascertained.

The population of the English settlement is about four hundred--that of the surrounding country is computed at three times that number.

During the first 12 months, from the beginning of October 1818, to the end of September 1819, only one natural death occurred--an infant about 6 months old.

In July, a boy died in consequence of drinking whiskey, unknown to his parents,--aged 8 years.

In Sept. 1819, three persons died in 24 hours--two of them from diseases of the liver of old standing; the other an elderly gentleman, whose constitution had been much broken by severe attacks of inflammatory rheumatism. He died of a remittent fever.

One man since deceased of the typhus--induced by excessive and continual intemperance.

Thus six persons died out of a population of 400, in the space of sixteen months--up to Feb. 1820; or at the ratio, *per annum*, of one in 94.

Dr. Price makes the proportion of deaths in the following places to be--

In Pays de Vaud, 1 in 45; in the country round Paris, 1 in 45; in the country round Shrewsbury, Eng. 1 in 38; in Berlin, 1 in 264; in London, 1 in 203-4, in Vienna, 1 in 191-2.

When these statements are considered, and it is also recollected that the great bulk of the settlers are Europeans just arrived, there cannot be a doubt of the salubrity of the country.

The prevailing diseases, it is admitted, are intermittent and remittent fevers. The former is found to be a slight disease--the latter more serious, but not attended with those violent bilious symptoms which characterize it in low situations; and its attacks are very much confined to the intemperate.

The nature of the country too, it seems, has been misrepresented--it is said to be level and flat. On the preceding authority [Dr. Pugsley's], it is described as without extensive hills or vallies, "but beautifully rolling--and so generally does this feature prevail, where this settlement is located, that a section of level land cannot be readily found."

Execution of the Treaty of Ghent.

OFFICIAL LETTERS.

To the senate of the United States:

I transmit to the senate, in pursuance of their resolution of the 1st of February, a report from the secretary of state, with the information required by that resolution.

JAMES MONROE.

Washington, 23d March, 1820.

The secretary of state, to whom has been referred the resolution of the senate, of the 1st February last, requesting such information relative to the execution of so much of the first article of the late treaty of peace and amity between his Britannic majesty and the United States, as the president might possess, and which had not heretofore been communicated, has the honor of submitting to the president extracts of two despatches from the minister of the United States at London, containing the information desired.

JOHN QUINCY ADAMS.

Department of State, 21st March, 1820.

Extract of a letter from Mr. Rush to the secretary of state, dated

London, January 21, 1820.

"In pursuance of the instructions embraced in it,* I proceeded to name to his lordship (Castlereagh) the emperor of Russia, as the sovereign to whose decision the government of the United States desired that the difference between the two countries respecting the slaves might be referred, reminding him of the provision contained in the fifth article of the convention of October, 1818, upon this subject. He replied, that he would lay the proposal before his royal highness, and furnish me, at as early a day as in his power, with an answer."

Extract of a letter from Mr. Rush to the secretary of state, dated

London, Jan. 21, 1820.

"I received a note from Mr. Planta, inviting me to call at the foreign office yesterday at three o'clock. I went accordingly. He acknowledged, on behalf of Lord Castlereagh, the receipt of my note, saying, that his lordship would appoint a time

* Despatch No. 18, of Nov 10, 1819, from the secretary of state to Mr. Rush.

for seeing me as soon as he returned. He then proceeded to make two communications, which I lose no time in transmitting for the information of the president.

First. He said that he had been instructed by lord Castlereagh, to make known to me, in general terms, that his lordship had already taken the commands of the prince regent, as to the point in controversy between the two governments respecting the slaves; and that his royal highness acceded to the president's desire, that the true construction of the treaty of Ghent, in this particular, should be referred to the decision of the emperor of Russia.

His lordship, desirous that I should be apprised at once of this assent, would not leave town without leaving the proper instructions for my being so. On his return, he would, Mr. Planta subjoined, suggest to me such official steps as it appeared to this government proper that both parties should take to carry into effect their mutual desire. I shall wait these further suggestions from his lordship, and have the honor to convey them to you in a despatch the moment they are made known to me. Meanwhile, I will apprise Mr. Campbell of his royal highness' assent."

Illegal Slave Trade.

FROM THE GEORGIA JOURNAL.

*Executive department, Geo.
Milledgeville, March 18, 1820.*

The following extract of a letter from the hon. John Quincy Adams, secretary of state, to this department, with the enclosure, are furnished for publication, for the purpose of preventing the procuring of other affidavits from base and unprincipled individuals, as in the case of the affidavit of one James Thompson, a convicted felon, and a fugitive from the New York penitentiary, recently procured by gen. D. B. Mitchell, who knew the baseness of Thompson's character, and at the same time furnished him with a license to trade with the Indians. Whether the license is the price given for the affidavit or not, I will not pretend to say; certain it is, however, the object in taking Thompson's affidavit is to invalidate the statement of Mr. Moore, a man, I repeat, of fair character, and which can be established by the testimony of as respectable citizens as any in the state.

His conduct in this business is far from being censurable. except indeed he should have taken the original letters instead of copies, he having the authority of gen Mitchell, delegated by captain Wm. S. Mitchell, his son, to search the desk of the general.

Well disposed citizens will not withhold important facts that may tend to a complete development of this nefarious transaction, and thus wipe off a foul stain from the character of our state.

JOHN CLARK.

[EXTRACT.]

*Department of state,
Washington, 1st March, 1820.*

His excellency John Clark,
governor of the state of Georgia:

SIR—I have had the honor of receiving your excellency's letters of the 19th and 20th January last, with their enclosures, consisting of copies of resolutions of the legislature of the state of Georgia, approved on the 8th of December, 1818—of other resolutions of the same legislature, approved on the 18th of December, 1819, and of sundry papers relating to certain allegations, charging gen. D. B. Mitchell, agent of the U. S. to the Creek Indians,

with having participated or been accessory to the unlawful introduction of African slaves into the United States.

These papers, conformably to your desire, were immediately laid before the president of the U. S. by whose direction I have now the honor of enclosing a copy of a letter from the secretary of war, written to gen. Mitchell, apprising him of the charges which implicate his conduct, and the necessity that they should undergo such an investigation as may ascertain the facts respecting them.

By that letter you will perceive the reasons upon which the president has thought it not advisable to communicate to congress the documents transmitted with your letter; and I am directed to request of you the transmission to this department of any additional evidence which you may think necessary to authenticate the facts.

With regard to the resolutions of the legislature, respecting the Africans stated to have been unlawfully brought into the port of Savannah, I am directed to assure you, that the existence of these resolutions was unknown to the president and at this department, until they were received with your letter; that the president duly appreciates the spirit of patriotism of the legislature of Georgia, manifested in their adoption, and will be happy to give to them every effect within the powers of the executive of the union.

In relation to the subject of your letter of the 19th of January, and the resolutions of the legislature to which it refers, I shall have the honor of making you a further communication hereafter.*

I am, with great respect, sir, your excellency's most obedient and very humble servant,

JOHN QUINCY ADAMS.

[COPY]

Department of war, 26th Feb. 1820.

SIR—By the direction of the president, I transmit to you a copy of a document which accompanied a letter from governor Clark, to the secretary of state, by which you will perceive, that the charges against you for a supposed connexion with certain persons engaged in introducing African slaves, have assumed a character so specific as to time, place and persons, as to require an early and thorough investigation.

It is the wish of governor Clark, that the documents should be laid before the house of representatives, under a resolution of that body calling for information, as to the illicit introduction of Africans into the United States; but it is the opinion of the president, that a charge against a public agent of a character so serious, while it calls for a thorough investigation, ought not to receive, till the truth of the charges is satisfactorily ascertained, that sanction which it would be supposed to receive, by communicating it to congress. With a view to ascertain the truth of the charges, and to give you an opportunity of vindicating your character, the copy of the document is transmitted to you; and a reasonable time will be allowed to you to collect testimony and present such explanations of your conduct as you may judge necessary to your defence.

In the mean time, no opinion will be formed in relation to the charges against you, and any testimony and explanation which you may furnish, will receive a full and candid investigation, with a sincere hope, that one who has received so many marks

*The communication here referred to relates to the claims of the citizens of this state, for property taken by the Indians.—*Editors.*

of public favor as yourself, may appear still to deserve confidence.

The testimony which you may transmit, will be taken under oath, before persons properly qualified to administer the same; and the credibility of such witness, whose general character may not be known, will be supported by the affidavits of persons of known respectability. You will furnish this department, as soon as practicable, with a list of the names and residence of the witnesses, whose testimony you intend to take, with a statement of the points you expect to prove by them respectively.

Governor Clark has been requested to furnish such additional evidence, as he may judge necessary to substantiate the charges.

I have the honor to be your obedient servant,
J. C. CALHOUN.

Gen. D. B. Mitchell, Indian agent. &c.

Administration of the Navy.

OFFICIAL DOCUMENTS.

House of representatives, January 13, 1820.

SIR—I am directed by the committee on naval expenditures to obtain from you the information called for by the following enquiries:

What disbursements have been made under the several appropriations for the naval service for the year 1819?

Is the annual appropriation for the increase of the navy, yearly expended, and if so, in what manner, particularly stating the expenditure under the appropriation since the passage of the law? Might this appropriation be diminished without detriment to the public service?

Has the payment of moneys due from public defaulters been enforced, as far as the navy department may be concerned?

Will the adoption of any measure be necessary to add to the economy of the navy department, and the accountability of its officers?

Can a retrenchment in any branch of the public expenditure in the navy department be made without injury to the public service?

What is the number of officers and privates of the marine corps? Could the number of this corps be, with propriety, diminished?

Who performs the duties of secretary of the navy and privateer pension funds—the sums paid to such secretary—out of what fund paid, and whether his duties could not be performed by one of the clerks of the navy department, within the hours usually allotted for transacting public business, without rendering an increase of the clerks in the navy department necessary?

In presenting, by direction of the committee, the preceding enquiries to you, I cannot fail to accompany them with the hope, that every effort will be used, by those who immediately administer the naval affairs of the nation, to introduce, into the department, in all its branches, a system of rigid economy: This, perhaps, is more peculiarly important at the present period, when the revenue is anticipated to be insufficient to meet the expenditures for the current year. It cannot fail to escape our observation, that the popularity won for the navy by the valor of our officers and seamen during the late war, can only be maintained, in time of peace, by exhibiting that branch of our national defence as an example to others of judicious management. Should it become characterized as well for its economy, as it is for its efficiency and its bravery, a doubt cannot be entertained, but that it would be cherished, and that its growth and prosperity would

be commensurate with the increasing population and growing resources of the nation.

I have the honor to be, sir, with the greatest respect, your obedient servant,

STEVENSON ARCHER.

Hon. SMITH THOMPSON,
Secretary of the navy.

Navy department, Jan. 20th, 1820.

SIR—In reply to your letter of the 13th instant, making several enquiries in relation to the naval expenditures, for the information of the committee of which you are chairman, I have the honor to state, that the "disbursements made, under the several appropriations for the naval service for the year 1819," are herewith transmitted in the document marked A, in a report upon that subject from the fourth auditor of the treasury, with statements marked B. and C. shewing the amount expended, annually, under the act for the gradual increase of the navy.

In answer to the enquiry "whether the appropriation for the gradual increase of the navy might not be diminished without detriment to the public service," I annex the copy of a letter from the commissioners of the navy, marked D. which gives their views of the subject, and the reasons why it is not expedient to diminish that appropriation, under existing circumstances, and in which I concur.

The enquiry respecting public defaulters is answered in the report of the fourth auditor, in the paper marked E.

It may be observed, respecting the enquiry, "will the adoption of any measure be necessary to add to the economy of the navy department, and the accountability of its officers," that it is believed the operation of the rules and regulations recently adopted, and now before congress, will produce economy in the expenditure, by limiting, in various instances, those objects which have heretofore been left too much to the discretion of officers, and by regulating all such allowances, of a contingent nature, as have not previously been fixed by the department; while, at the same time, it is considered that the pay of officers, as established by law, is as low as is consistent with their respective ranks; and, as regards the surgeons, is not sufficient to compensate the arduous duties and respectable talents indispensable to the safety and preservation of the many valuable lives entrusted to their care. The accountability of pursers is better secured by the increased amount of their bonds, under the act of congress of the 1st of March, 1817, at which time it was submitted to congress to increase the bonds of navy agents to double the amount of those of pursers; these being the only disbursing officers under this department.

In reply to the enquiry, "can a retrenchment, in any branch of the public expenditure in the navy department, be made without injury to the public service," it may be observed, that there is no retrenchment in the public expenditure which requires a legislative act; but all such as can be made, in the exercise of my official authority, and in directing the best mode of economy, shall receive every attention and exertion in my power to afford, compatible with the good of the service and the public interest.

As respects the enquiry in relation to the marine corps, I annex the returns made by the lieutenant colonel commandant, with a letter from the adjutant and inspector, stating the strength and duties required of that corps, marked F.

With regard to the enquiry respecting the secre-

aries of the navy and privateer pension funds, I have to observe, that the duties of secretary of the navy pension fund have been, by order of the commissioners of the fund, always performed by the chief clerk of this department, who has been paid, for his services, out of the said fund, the sum of two hundred and fifty dollars per annum, as authorised by the act of congress of the 26th of March, 1804. The duties of secretary of the privateer pension fund have been performed by the second clerk, who has been allowed, by the commissioners, out of the privateer pension fund, for his extra services and responsibility, the sum of two hundred and fifty dollars per annum.

To guard these funds against fraud, and apply them beneficially to the laudable purposes intended by the government, much care and vigilance are necessary. The investigation of claims for pensions is laborious, and requires considerable ability; and that these duties may not be suffered to interfere with the general duties of the department, great part of what relates to the correspondence, claims of pensioners, &c. is done out of the office, before and after the hours usually allotted for the transaction of public business.

I fully coincide with your observations relative to the navy generally, and the means of preserving its popularity—by the prudent management of its fiscal operations; and no effort shall, on my part, be wanting to secure to this branch of the national defence a continuance of the public favor, which its efficiency and bravery obtained for it during the late war. It may not be irrelevant to the subject to observe that, out of the annual appropriations for the support of the navy, since the peace, large sums have been, and continue still to be, paid, in the settlement of claims and accounts for contracts, and expenses incurred during the late war, and for which no additional appropriation has been asked for, or made by congress.

All which is respectfully submitted.

SMITH THOMPSON.

Honorable Stevenson Archer,
chairman of the committee on naval expenditures,
house of representatives.

Statement of the commissioners of the navy, in relation to the policy of diminishing the appropriation for the gradual increase of the navy.

NAVY COMMISSIONERS' OFFICE,
17th January, 1820.

SIR: The board of navy commissioners have been honored by your communication of the 14th instant, enclosing an extract of a letter of the 13th instant, from the honorable Stevenson Archer, chairman of the committee on naval expenditures, of the house of representatives, viz: "might not the appropriation for the gradual increase of the navy be diminished without detriment to the public service," and requiring their attention to the same.

In reply, the board beg leave to observe, that all the live-oak necessary for the frames and other parts required for the completion of the ships authorised by law, has been contracted for, and the greater part delivered; the residue is now cut or cutting, and will be delivered during the present or early in the ensuing year; all of which, by the terms of the contracts, is to be paid for on delivery. That the greater part of the white oak and pine timber and plank, necessary for the construction of said ships, has also been contracted for, and a considerable part delivered; the residue to be delivered in the course of the present year. A large proportion of the iron, and nearly all the copper, has been

contracted for, and received and paid for. The latter articles, being of an imperishable nature, might be stored and kept for any period, without fear of deterioration. It would, however, be subject to misapplication, which experience has taught that no precaution can effectually prevent. As regards the timber, the board can, from past experience, speak positively, that a large proportion of it would, in a short time, if exposed, as it necessarily would be, to the influence of the weather, become altogether unfit for naval purposes. To obviate this difficulty, it would be necessary to erect store houses for the preservation of the timber, the expense of which would be very considerable; and for the preservation of the ships now on the stocks, it will be necessary, if the building is suspended, to erect houses over them, similar to those erected over the ships at Sackett's Harbor; and this item alone would render an expenditure of 140,000 dollars necessary.

Taking into consideration the existing state of preparation—the progress already made—the loss that would actually occur to the government—the length of time that it would require to reorganize the different yards, for the purpose of carrying into effect the law for the "gradual increase of the navy," if it should hereafter be required—as also the numerous and valuable mechanics in the various branches employed in the different navy yards, that would be dispersed, the commissioners are induced to believe, that, on the score of economy alone, the building of the ships should not be suspended; in which case, the sum appropriated will be necessary, and will not bear to be diminished.

I have the honor to be, &c.

JOHN RODGERS.

HON. SMITH THOMPSON,
Secretary of the navy.

Law of the United States.

An act to provide for taking the fourth census, or enumeration of the inhabitants of the United States, and for other purposes.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the marshals of the several districts of the United States, and of the district of Columbia, and of the territories of Missouri, Michigan, and Arkansas, respectively, shall be, and they are hereby, authorised and required, under the direction of the secretary of state, and according to such instructions as he shall give, pursuant to this act, to cause the number of the inhabitants within their respective districts and territories to be taken, omitting, in such enumeration, Indians not taxed, and distinguishing free persons, including those bound to service for a term of years, from all others; distinguishing, also, the sexes and colors of free persons, and the free males under ten years of age; those of ten years and under sixteen; those of sixteen and under twenty-six; those of twenty-six and under forty-five; and those of forty-five and upwards; and, also, distinguishing free females under ten years of age; those of ten and under sixteen; those of sixteen and under twenty-six; those of twenty-six and under forty-five; and those of forty-five and upwards; and also distinguishing the number of persons engaged in agriculture, commerce, and manufactures, respectively. For effecting which the marshals aforesaid shall have power, and they are hereby, respectively, authorised and required to appoint one or more assistants in each county and city, in their respective districts and

territories, residents of the county and city for which they shall be appointed, and shall assign a certain division to each of the said assistants, which division shall not consist of more than one county or city, but may include one or more towns, townships, wards, hundreds, or parishes, plainly and distinctly bounded by water courses, mountains, public roads, or other monuments. And the said enumeration shall be made by an actual enquiry at every dwelling house, or of the head of every family, and not otherwise. The marshals and their assistants shall, respectively, take an oath or affirmation before some judge or justice of the peace, resident within their respective districts or territories, before they enter on the duties required by this act. The oath or affirmation of the marshal shall be as follows: I, A. B. marshal of the district of — do solemnly swear, (or affirm,) that I will well and truly cause to be made a just and perfect enumeration and description of all persons resident within my district, (or territory,) and also an account of the manufactures, except household manufactures, and return the same to the secretary of state, agreeably to the directions of an act of congress, entitled 'An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes,' according to the best of my ability. The oath or affirmation of an assistant shall be: I, A. B. do solemnly swear, (or affirm,) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose, by the marshal of — and, also an account of the manufactures, except household manufactures, and make due return thereof to the said marshal, agreeably to the directions of an act of congress, entitled 'An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes,' according to the best of my abilities. The enumeration shall commence on the first Monday of August, in the year one thousand eight hundred and twenty, and shall close within six calendar months thereafter. The several assistants shall, within the said six months, transmit to the marshals, by whom they shall respectively be appointed, accurate returns of all persons, except Indians not taxed, within their respective divisions; which returns shall be made in a schedule, distinguishing in each county, city, town, township, ward, or parish, the several families, by the names of their master, mistress, steward, overseer, or other principal person therein, in the manner following: The number of persons within my division, consisting of —, appears in a schedule hereto annexed, subscribed by me this — day of —, in the year one thousand eight hundred and twenty. A. B. assistant to the marshal of —.

Schedule of the whole number of persons within the division allotted to A. B.

Name of the county, parish, township, town, or city, where the family resides.
Names of heads of families.
Free white males under ten years.
Free white males of ten and under sixteen.
Free white males between sixteen and eighteen.
Free white males of sixteen and under twenty-six, including heads of families.
Free white males of twenty-six, and under forty-five, including heads of families.
Free white males of forty-five, and upwards, including heads of families.
Free white females under ten years of age.
Free white females of ten, and under sixteen.
Free white females of sixteen, and under twenty-six, including heads of families.

Free white females of twenty-six, and under forty-five, including heads of families.
Free white females of forty-five, and upwards, including heads of families.
Foreigners not naturalized.

SLAVES.

Males under fourteen.
Males of fourteen, and under twenty-six.
Males of twenty-six, and under forty-five.
Males of forty-five, and upwards.
Females of fourteen.
Females of fourteen, and under twenty-six.
Females of twenty-six, and under forty-five.
Females of forty-five, and upwards.

FREE COLORED PERSONS.

Males under fourteen years.
Males of fourteen, and under twenty-six.
Males of twenty-six, and under forty-five.
Males of forty-five, and upwards.
Females under fourteen years.
Females of fourteen, and under twenty-six.
Females of twenty-six, and under forty-five.
Females of forty-five, and upwards.
All other persons, except Indians not taxed.

Sec. 2. *And be it further enacted*, That every assistant, failing or neglecting to make a proper return, or making a false return, of the enumeration to the marshal, within the time limited by this act, shall forfeit the sum of two hundred dollars, recoverable in the manner pointed out in the next section of this act.

Sec. 3. *And be it further enacted*, That the marshals shall file the several returns aforesaid, and, also, an attested copy of the aggregate amount hereinafter directed, to be transmitted by them, respectively, to the secretary of state, with the clerks of their respective districts, or superior courts, (as the case may be,) who are hereby directed to receive, and carefully to preserve the same. And the marshals, respectively, shall, on or before the first day of April, in the year one thousand eight hundred and twenty-one, transmit to the secretary of state the aggregate amount of each description of persons within their respective districts or territories. And every marshal failing to file the returns of his assistants, or the returns of any of them, with the clerks of the respective courts as aforesaid, or failing to return the aggregate amount of each description of persons in their respective districts or territories, as required by this act, and as the same shall appear from said returns, to the secretary of state, within the time limited by this act, shall, for every such offence, forfeit the sum of one thousand dollars; which forfeitures shall be recoverable in the courts of the districts or territories where the said offences shall be committed; or within the circuit courts held within the same, by action of debt, information, or indictment; the one half thereof to the use of the United States, and the other half to the informer; but where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use. And, for the more effectual discovery of such offences, the judges of the several district courts in the several districts, and of the supreme courts in the territories of the United States, as aforesaid, at their next session, to be held after the expiration of the time allowed for making the returns of the enumeration hereby directed, to the secretary of state, shall give this act in charge to the grand juries in their respective courts, and shall cause the returns of the several assistants, and the said attested copy of the aggregate amount, to be laid before them for their inspection.

Sec. 4. *And be it further enacted*, That every assistant shall receive at the rate of one dollar for every hundred persons by him returned, where such persons reside in the country; and where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons; but where, from the dispersed situation of the inhabitants in some divisions, one dollar will be insufficient for one hundred persons, two marshals, with the approbation of the judges of their respective districts or territories, may make such further allowance to the assistants in such divisions as shall be deemed an adequate compensation; *Provided*, The same does not exceed one dollar and twenty-five cents for every fifty persons by them returned; *Provided further*, That before any assistant, as aforesaid, shall be entitled to receive said compensation, he shall take and subscribe the following oath or affirmation, before some judge or justice of the peace, authorised to administer the same, to wit:—I, A. B. do solemnly swear or affirm, that the number of persons set forth in the return made by me, agreeably to the provisions of the act, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," have been ascertained by an actual enquiry at every dwelling-house, or of the head of every family, in exact conformity with the provisions of said act; and that I have, in every respect, fulfilled the duties required of me by said act, to the best of my abilities, and that the return aforesaid is correct and true, according to the best of my knowledge and belief. The several marshals shall receive as follows: The marshal of the district of Maine, two hundred and fifty dollars; the marshal of the district of New Hampshire, two hundred and fifty dollars; the marshal of the district of Massachusetts, three hundred dollars; the marshal of the district of Rhode Island, one hundred and fifty dollars; the marshal of the district of Connecticut, two hundred dollars; the marshal of the district of Vermont, two hundred and fifty dollars; the marshal of the southern district of New York, two hundred and fifty dollars; the marshal of the northern district of New York, two hundred and fifty dollars; the marshal of the district of New Jersey, two hundred dollars; the marshal of the eastern district of Pennsylvania, three hundred dollars; the marshal of the western district of Pennsylvania, two hundred dollars; the marshal of the district of Delaware, one hundred dollars; the marshal of the district of Maryland, three hundred dollars; the marshal of the eastern district of Virginia, three hundred dollars; the marshal of the western district of Virginia, two hundred dollars; the marshal of the district of Kentucky, three hundred dollars; the marshal of the district of North Carolina, three hundred and fifty dollars; the marshal of the district of South Carolina, three hundred dollars; the marshal of the district of Georgia, three hundred dollars; the marshal of the district of east Tennessee, one hundred and fifty dollars; the marshal of the district of west Tennessee, one hundred and fifty dollars; the marshal of the district of Ohio, three hundred dollars; the marshal of the district of Indiana, two hundred dollars; the marshal of the district of Illinois, one hundred and fifty dollars; the marshal of the district of Mississippi, one hundred and fifty dollars; the marshal of the district of Louisiana, one hundred and fifty dollars; the marshal of the district of Alabama, one hundred and fifty dollars; the marshal of the district of Columbia, fifty dollars; the marshal of the Missouri territory, one

hundred dollars; the marshal of the Michigan territory, one hundred dollars; the marshal of the Arkansas territory, one hundred dollars.

Sec. 5. *And be it further enacted*, That every person whose usual place of abode shall be in any family, on the said first Monday in August one thousand eight hundred and twenty, shall be returned as of such family; and the name of every person who shall be an inhabitant of any district or territory, without a settled place of residence, shall be inserted in the column of the schedule which is allotted for the heads of families in the division where he or she shall be on the said first Monday, in August; and every person occasionally absent at the time of enumeration, as belonging to the place in which he or she usually resides in the United States.

Sec. 6. *And be it further enacted*, That each and every free person, more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district or territory, made or established within the United States, shall be and hereby is, obliged to render to the assistant of the division, if required, a true account, to the best of his or her knowledge, of every person belonging to such family, respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered, in an action of debt, by such assistant; the one half to his own use, and the other half to the use of the United States.

Sec. 7. *And be it further enacted*, That each and every assistant, previous to making his return to the marshal, shall cause a correct copy, signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies, the said assistant shall be entitled to receive two dollars: *Provided*, proof of the schedule having been set up and suffered to remain, shall be transmitted to the marshal, with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal, as aforesaid, he shall forfeit the compensation allowed him by this act.

Sec. 8. *And be it further enacted*, That the secretary of state shall be, and hereby is, authorised and required, to transmit to the marshals of the several districts and territories, regulations and instructions pursuant to this act, for carrying the same into effect, and also the forms contained therein, of the schedule, to be returned, and such other forms as may be necessary in carrying this act into execution, and proper interrogatories to be administered by the several persons to be employed in taking the enumeration.

Sec. 9. *And be it further enacted*, That in those states composing two districts, and where part of a county may lie in each district, such county shall be considered as belonging to that district in which the court house of said county may be situate.

Sec. 10. *And be it further enacted*, That it shall be the duty of the several marshals and their assistants, at the time for taking the said census, to take, under the direction of the secretary of state, and according to such instructions as he shall give, and such forms as he shall prescribe, an account of the several manufacturing establishments, and their manufactures, within their several districts, territories and divisions: the said assistants shall make return of the same to the marshals of their respective districts or territories; and the said marshals shall transmit the said returns, and abstracts thereof, to the secretary of state, at the same time at which

they are, by this act, required, respectively, to make their returns to the secretary of state: for the performance of which additional service, they shall, respectively, receive, as compensation therefor, not exceeding twenty per centum in addition to the sums allowed by this act, to be apportioned in proportion to the services rendered, under the direction of the secretary of state.

Sec. 11. *And be it further enacted*, That in all cases where the superficial content of any county or parish shall exceed forty miles square, and the number of inhabitants in said parish or county shall not exceed two thousand five hundred, the marshal or assistants shall be allowed, with the approbation of the judges of the respective districts or territories, such further compensation as shall be deemed reasonable: *Provided* the same does not exceed three dollars for every fifty persons by them returned.

Sec. 12. *And be it further enacted*, That when the aforesaid enumeration shall be completed, and returned to the office of the secretary of state, by the marshals of the states and territories, he shall direct the printers to congress to print, for the use of the congress, fifteen hundred copies thereof.

H. CLAY,

Speaker of the house of representatives,
JOHN GAILLARD,

President of the senate, pro tempore.

Washington, March 14, 1820. Approved:

JAMES MONROE.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The case of the queen has been twice brought up before parliament. It is truly laughable to observe the manner in which the ministers speak of her. They allude to her as having *been* the princess of Wales, designate her as an "illustrious person," but abstain from using the word "queen," as though there was treason in the sound. Mr. Hume wished to know why she was not acknowledged—lord Castlereagh said that "great delicacy ought to be used on this *interesting* subject—the less it was agitated he thought the better—the high personage would be provided for." The next day the sum of 200,000*l.* was asked for to enable the king to provide for certain payments charged on the civil list—*understood* in part to be for the queen. Mr. Tierney asked how could a payment be made to the *queen* under this grant?—the chancellor of the exchequer said it would be made as formerly to the princess of Wales, the grant was made to the person. It was contended that there was no princess of Wales—this was admitted, but the person who *was* princess of Wales remained, and the money would be paid to her. The curious case occurs, that a sum of money is voted for the avowed purpose of supporting the wife of the king, without naming her. Mr. Tierney said he was aware that the chancellor of the exchequer must not say the word "queen!"

We notice these things only to shew the sort of stuff, that royalty is composed of. It seems that the opposition intend to support her claims to a coronation.

It does not appear to be determined whether Thistlewood and the other conspirators, shall be tried for high treason or murder. Probably the former. A coroner's inquest has found them guilty of the latter. One of the persons arrested was a colored man, named Davidson—the moment that

the privy council finished his examination, he commenced singing, "Scots wha hae wi' Wallace bled," to the great surprise of all!

Viscount Castlereagh has recovered damages of sir Francis Burdett, for injury done plaintiff's house in St. James's square, by a riotous mob at the close of the last Westminster election.

The London Morning Chronicle contradicts the rumor circulated of losses at play by the duke of Wellington; and states, that so far from indulging in play, he was never known to lose five pounds at any game.

Speech of the commissioners on proroguing parliament
—Feb. 27.

"My lords and gentlemen—We are commanded by his majesty to inform you, that it is a great disappointment to his majesty, that on this first and solemn occasion he is prevented by indisposition from meeting you in person.

It would have been a consolation to his majesty to give utterance in this place to those feelings with which his majesty and the nation alike deplore the loss of a sovereign, the common father of all his people.

The king commands us to inform you, that in determining to call without delay the new parliament, his majesty has been influenced by the consideration of what is most expedient for public business, as well as most conducive to general convenience.

Gentlemen of the house of commons—We are directed by his majesty to thank you for the provision which you have made for the several branches of the public service, from the commencement of the present year, and during the interval which must elapse before a new parliament can be assembled.

My lords and gentlemen—We are commanded to inform you, that in taking leave of the present parliament, his majesty cannot refrain from conveying to you his warmest assurances of the sense which his majesty entertains of the important services which you have rendered the country.

Deeply as his majesty lamented that designs and practices, such as those which you have been recently called upon to repress, should have existed in this free and happy country, he cannot sufficiently commend the prudence and firmness with which you directed your attention to the means of counteracting.

If any doubt had remained as to the nature of those principles by which the peace and happiness of the nation were so seriously menaced, or of the excesses to which they were likely to lead, the flagrant and sanguinary confederacy which has lately been detected, must open the eyes of the most incredulous, and must vindicate to the whole world the justice and expediency of those measures to which you judged it necessary to resort in defence of the laws and constitution of the realm."

FRANCE.

A Paris paper of the 29th of Feb. contains the following important article.—It is reported that an humble address is signing in many of the arrondissements of Paris, expressive of the horror and regret of the inhabitants of the late melancholy calamity, and petitioning H. R. H. Monsieur, to take into consideration the forming a matrimonial alliance for the further assuring the perpetuation of the legitimate dynasty on the throne of France.

France appears to be undisturbed—our accounts are of the 1st of March, from Paris. The political sensation caused by the death of the duke of Berri had subsided.

SPAIN.

We have no news from Spain since our last. A Paris paper of Feb. 29, speaks of the severity of the police and military at Cadiz, to preserve that city to Ferdinand. More than three persons are prohibited from appearing together after sun-set—serenades are forbidden, and masking in the Carnival prevented.

CONGRESS.

IN THE SENATE.

April 7. Mr. Noble reported the bill from the house of representatives, supplementary to the revolutionary pension act, with an amendment, proposing that no person receiving a salary or compensation from government to the amount of — dollars, should be entitled to a pension.

A motion to fix an earlier day of meeting for the next session of congress, was negatived.

The bill supplementary to the "act concerning navigation," reported in pursuance of the motion of Mr. King, of New York, being amended so as to apply it to *all the ports of the British West Indies*, was further postponed until Monday.

The bill from the house (as amended) for the relief of the sufferers at Savannah, was passed.

The senate next took up the message from the house of representatives announcing their disagreement to the amendments of the senate to the military appropriation bill.

Mr. Sanford moved that the senate *recede* from their first amendment, (increasing the appropriation from 300,000 to 450,000 dollars for clothing for the army.)

This motion was agreed to without debate or objection--and the senate *receded* therefrom accordingly.

The next amendment proposes to add 50,000 to the appropriation for the quartermaster general's department, (with the view of enabling the executive to carry the Missouri expedition to the Mandan villages—though 30,000 of the 50,000 dolls. it is contended, according to the estimates of the war department, is necessary to maintain the expedition at the Council Bluffs.)

On this amendment, Mr. Sanford moved that the senate *do insist*.

Considerable debate followed—those in favor of insisting, said that the expedition had been sanctioned by congress and that this sum was necessary to fulfil the contracts, &c. At length—

The question was then taken on *insisting* on the amendment, and was decided in the affirmative—ayes 21, noes 13.

On motion of Mr. Otis a conference was asked of the other house, on the disagreeing vote; and Messrs. Sanford, Otis and Dana, were appointed managers of the conference on the part of the senate.

The senate then took up the disagreement of the other house to the amendments of the senate to the bill making appropriations to the civil list, for the current year—and, on motion, *receded* therefrom.

The bill to establish an eighth circuit court, to comprehend the state of Tennessee, was read the third time; and

On motion of Mr. Williams, of Tennessee, after considerable discussion on the subject, the salary of the additional circuit judge was fixed at 3000 dollars, by the casting vote of the president, the votes being 14 to 14; and the bill was then passed and sent to the other house for concurrence.

A motion to adjourn over to Monday was rejected, by yeas and nays—ayes 14, noes 24.

The senate took up, on motion of Mr. Walker, of Georgia, the bill to increase the salaries of the district judges of the courts of the United States.

A definite postponement of the bill was moved for by Mr. King, of Alabama,—but, before the question was taken, the senate adjourned.

April 8.—(Saturday). The motion which lay over for an indefinite postponement of the bill to increase the compensation of certain district judges, was negatived—ayes 10.

Much difference of opinion was manifested in filling up the bill. At last, it resulted in these allowances for the district judge of Louisiana 3000; for those of S. Carolina and Georgia 2300; those of Massachusetts, New York (north and south districts), Pennsylvania, (east district), Maryland, east district of Virginia, and Mississippi, at 2100 each; those of North Carolina, Kentucky, Tennessee and Alabama, at 2000 each; those of the west district of Pennsylvania, west district of Virginia, and Ohio, at 1800 each; those of New Jersey and Delaware, at 1700; those of Maine, New Hampshire, Rhode Island, Connecticut, Indiana and Illinois, at 1500 each; the judge of Vermont at 1300.

After which, the senate adjourned.

April 10 Mr. Barbour, of Virginia, submitted the following resolutions for consideration:

Resolved, That the federal government is a government of limited powers, and can rightfully exercise such only as are expressly given it by the constitution, or such as are properly incident to an express power, and necessary to its execution.

Resolved, That congress cannot constitutionally pass any law concerning the press; and therefore that the sedition act was a palpable assumption of power, directly at variance as well with the spirit as the letter of the constitution.

Resolved, That, where the people of the United States are endangered in their property by unconstitutional exercises of authority, and such damage can be fixed with certainty, the sufferers are entitled to indemnity, if it can be done without hazarding the public welfare.

Resolved, therefore, That the amount of fines collected under the sedition act, should be refunded to those from whom they were exacted; and that the bill now pending before the senate, for the relief of Matthew Lyon, be re-committed to the committee which brought it in, with instructions so to amend it as to embrace all such cases.

Mr. Barbour introduced these resolutions from a conviction, long entertained, that the principle advanced was correct, and that it was right to make general provision for all cases coming within the purview of the resolutions, instead of legislating for them individually, as they were presented for relief.

The resolutions lie upon the table.

Nineteen bills received from the house were variously acted upon. The greater part of the remainder of this day was occupied with a bill for the relief of John H. Piatt, which was ordered to be engrossed for a third reading—yeas 24, nays 11.

April 11. The senate took up the report of the committee on Indian affairs, adverse to the expediency of abolishing the system of Indian trade as established by the act of 1811.—[Concurred in.]

The senate resumed the consideration of the bill to renew and extend the charter of the city of Washington; and continued occupied for several hours in an examination of the details, which are very numerous, as the bill embraces most of the

provisions of the late charter, with sundry additions.

A vote was taken on the power granted to raise 10,000 dollars a year, for purposes to be approved by the president, (as granted in the old charter) and the provision was retained - 21 for, 14 against it.

Mr. *Morril* moved so to amend the bill so as to extend the right of suffrage to all free white males of the United States, resident in the city one year, whether they had paid a tax or not—negatived, only 3 or 4 rising in favor of it.

The bill was ordered to be engrossed for a third reading.

The senate resumed the consideration of the bill supplementary to the "act concerning navigation."

Mr. *Brown* observed that, on reflection, and consultation with the friends of the bill, it was believed the amendment suggested by Mr. *Parrott*, when the bill was last up, to extend its provisions to the British ports in Lower Canada, might prove useful—he moved an amendment having that object, which was agreed to.

All the amendments to the bill, adopted by the committee, having been agreed to in the senate,

The bill was ordered to be engrossed and read a third time, by the following vote:

YEAS—Messrs. Barbour, Brown, Burrill, Dana, Dickerson, Eaton, Edwards, Elliott, Gaillard, Horsey, Hunter, Johnson, of Louisiana, King, of N. Y., Leaman, Lusk, Lloyd, Logan, Lowrie, Mason, Mellen, Morrill, Noble, Otis, Palmer, Parrott, Pleasant, Roberts, Ruggles, Sanford, Smith, Stokes, Taylor, Thomas, Tichenor, Trimble, Van Dyke, Walker, of Alabama, Walker, of Georgia, Williams, of Tennessee—40.

NAY—Mr. Wilson.

Mr. *Sanford*, from the committee of conference, on the disagreeing vote of the two houses on the amendment to the military appropriation bill, made a report that the conferees had "met and conferred concerning the same, and that they were unable to come to any agreement thereupon."

The report was read and laid on the table.

The engrossed bill for the relief of John H. Piatt, was read the third time, passed, and sent to the other house for concurrence.

The bill to increase the salaries of certain district judges (as noticed above) amended so as to raise the salary of the judge in Massachusetts from 2100 to 2300, and that of North Carolina from 2000 to 2100 dollars, was rejected—

On the question for ordering the bill to be engrossed for a third reading—

YEAS—Messrs. Brown, Edwards, Gaillard, Horsey, Elliott, Hunter, Johnson, of Kentucky, Johnson, of Louisiana, King, of New York, Leaman, Lusk, Mellen, Otis, Sanford, Smith, Stokes, Taylor, Trimble, Van Dyke, Walker, of Georgia, Williams, of Tennessee—31.

NAYS—Messrs. Barbour, Burrill, Dana, Dickerson, Eaton, King, of Alabama, Lloyd, Logan, Lowrie, Mason, Morrill, Noble, Palmer, Parrott, Pleasant, Roberts, Ruggles, Thomas, Tichenor, Walker, of Alabama—21.

The senate being thus equally divided, the question was lost, and the bill of course rejected; and The senate adjourned.

April 12. Mr. *Morrill* laid upon the table the following resolutions:

Resolved, That the practice of duelling is inhuman, immoral, and censurable.

Resolved, That the president of the United States would be justifiable in striking from the rolls of the army and navy the names of all persons thereon, who have been or hereafter may be, directly or indirectly engaged in a duel, or who may have been, or hereafter may be, in any way or manner accessory thereto.

A bill to establish the boundary line between the states of Indiana and Illinois, was ordered to be engrossed for a third reading. A doubt was expressed as to the right of congress to interfere in

this between two sovereign states—on the other side it was contended that congress ought to establish the meridian line; as originally proposed to separate them.

The senate then, on motion of Mr. *Sanford*, proceeded to the consideration of the report of the committee of conference on the disagreeing votes of the two houses, on the amendment of the senate to the military appropriation bill.

After some remarks—

The question was taken on *receding* from the amendment, and decided in the affirmative—ayes 22.

The engrossed bill, supplementary to the "act concerning navigation;" and the engrossed bill to establish the district of Pearl River, in Mississippi, were severally read the third time, passed, and sent to the house of representatives for concurrence.

Mr. *Van Dyke*, from the committee on pensions, reported a bill concerning invalid pensioners; and

The senate went into the consideration of executive business; after which, they

Adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, April 6. A motion, to meet at 10 instead of 11 o'clock, was negatived.

Mr. *Barbour* submitted the following motion:

Resolved, That the following be added to the standing rules of the house: "No petition shall be received at the first session of any congress, except within the first ninety days thereof; nor at any subsequent session, except within the first sixty days thereof."

This motion lies on the table one day of course, being a motion to amend the rules.

Mr. *Ervin*, after a speech of considerable length, offered a set of resolutions, which had for their object the removal of the remains of gen. Washington to the capitol square in the city of Washington, over which a mausoleum should be erected, &c. But the house refused to consider them at this time.

The bill from the senate for the relief of the sufferers by the late fire at Savannah, was taken up—it provides for a remission of one-fourth of the duties on the goods consumed. Mr. *Raid* moved to strike out one-fourth, so that the whole might be remitted—negatived. Mr. *Foot* also moved to strike out as aforesaid, so as simply to extend the credit on the bonds for two years—agreed to, 63 to 53. Mr. *Clay* moved a new section, to grant \$50,000 for the relief of the sufferers—negatived. The committee rose and reported the bill as amended—at length, on being further amended, so as to give a credit of four years on the bonds, it was passed to a third reading.

Friday, April 7. Mr. *Livermore*, from the committee on the post-office and post-roads, who were instructed to enquire into the subject, reported a bill for the relief of the widow of John Heaps, who, being employed as a carrier of the mail of the U. States, and, having the mail in his custody, was beset by ruffians and murdered; which was twice read and committed.

The committee of claims reported unfavorably on eight private petitions.

The bill from the senate, for the relief of certain sufferers by the late fire at Savannah, was read a third time as amended, and passed.

Twenty private bills were then severally taken up and passed to a third reading—and, after a very busy day, the house adjourned.

Saturday, April 8. Several bills were twice read and committed.

On motion of Mr. Linn, it was

Resolved, That the committee on military affairs be directed to enquire into the expediency of providing by law a more effectual remedy to prevent duelling in the army and navy of the United States, and in the district of Columbia.

Three bills, received from the senate, were twice read and committed.

The private bills ordered to a third reading yesterday, were all passed, except two, which were recommitteed.

The house took up the message of the senate, asking a conference upon the disagreeing votes of the two houses, on the second amendment proposed by the senate to the military appropriation bill for the year 1820; and the house determined to insist on its disagreement to the said amendment, and also agreed to appoint a committee of conference thereon.

The speaker laid before the house a letter from the secretary of the navy, transmitting a report, in obedience to a resolution of the house 30th ult. requiring information as to any presents, &c. which may have been received by capt. Biddle, from Spanish officers in the Pacific, while commanding the Ontario in that sea, &c. which documents were ordered to be printed; and

The house adjourned.

Monday, April 10. The speaker laid before the house certain documents relating to the cruise of the sloop of war Ontario; which were ordered to lie on the table.

Mr. Silbee, from the committee on naval affairs, to whom was referred the petition of capt. Samuel C Reid, in behalf of himself, and the other officers and crew of the private armed brig General Armstrong, made a report adverse to the prayer thereof; which was read and ordered to lie on the table.

Many resolutions were submitted—among them one "to enquire into the practicability of rendering the hall of the house of representatives convenient for the transaction of public business!"

The whole of the rest of this day was spent on the bill concerning the banks in the district of Columbia. The object of this bill is to re-charter all the banks that now pay specie, on condition that certain of them are consolidated, &c. &c. The proceedings occupy nearly two columns in the National Intelligencer! The bill was finally ordered to be engrossed for a third reading. [The following sketch of the provisions of the bill may be interesting, as shewing what regulations the house of representatives are disposed to adopt as to the currency within the district specially subjected to the control of congress:]

This bill provides—

Sec. 1. That the charters of all the incorporated banks that now pay specie on demand, be extended until the 16th June, 1825.

Sec. 2 Should any of said banks refuse to pay specie, or lawful currency of the United States on demand, they are to pay an interest of ten per cent. per annum until payment of such demand is made, and congress is empowered forthwith to revoke their charters, and provide for settling their accounts.

Sec. 3. No bank to issue, re-issue, or receive in payment or deposit, any bill, note, &c. under five dollars, after the 1st January next, except to receive such note or notes as may have been issued, before that time, in exchange for current coin, or a debt due such bank. Charter forfeited for offending.

Sec. 4. Any officer of a bank who shall conceal, embezzle, or connive at the concealment or embez-

zement of any property of a bank, to be adjudged a felon, and imprisoned not more than 10 years, and fined not less than 1,000, nor more than 20,000 dollars—one moiety to the United States, the other to the informer; all debts due to him by said bank being first satisfied.

Sec. 5. Any bank ceasing to pay on demand—no officer or director of said bank permitted to buy up, in person, or by agent, or receive in payment any note or bill of said bank at a less price or value than its face purports it to be worth—for each offence, to be imprisoned for one month, and pay thrice the value of such bill or note.

Sec. 6. The present charter of the bank of Columbia, revoked on 1st Jan. 1822, and rechartered on the same footing of the other district banks, until the 16th June, 1840.

Sec. 7. Revokes the charter of the Franklin bank of Alexandria, and provides for settling their accounts.

Sec. 8. The president and directors of each bank to file their declaration in writing in the office of the secretary of the treasury, within six months, assenting to the terms hereby granted, or to forfeit their charters, and settle their accounts, as allowed the Franklin bank of Alexandria.

Sec. 9. Prohibits any corporation within the District of Columbia, other than said banks, issuing or discounting notes or bills after the 1st of Jan. next—any mayor, or alderman, councilman, &c. for each offence to pay not less than 100, nor more than 1,000 dollars.

Sec. 10. Any person who shall sign, countersign, or endorse any note, bill, &c. as aforesaid, in addition to said penalty, to be imprisoned not less than three nor more than twelve months.

Sec. 11. Declares null and void all drafts, bills, &c. given in payment for money discounted by any corporation, contrary to the provisions of this act, whether such bills are made payable to such corporation, or to any person as agent or trustee.

Sec. 12. Any mayor, alderman, councilman, clerk, &c. that shall, after the 1st of January next, issue and pass into circulation, any bill or note, as aforesaid, to incur all said penalties, notwithstanding said note may be signed prior to said first day of January.

Sec. 13 and 14, provides for the consolidation of the banks of Alexandria into two banks, with a capital of one million of dollars each, to take place by written articles of association, prior to the 16th June, 1825; provided they continue until that period:—charters to extend to 16th June, 1840, subject to the present rules, conditions, &c. of the Farmers' bank of Alexandria, and also to the rules, conditions, &c. of this act.

Sec. 15 provides, in a similar manner, for the consolidation of the banks of Georgetown, other than the bank of Columbia, into one bank, with a capital which, added to the capital of the bank of Columbia, shall make the sum of two millions of dollars, and no more, subject to the present rules, conditions, &c. of the Farmers and Mechanics' bank of Georgetown, and also to the rules, &c. imposed by this act.

Sec. 16, contains like provision for the consolidation of the bank of Washington and the Patriotic bank, with a capital of one million of dollars.

Sec. 17, in like manner, extends the charter of the bank of the Metropolis, with permission to augment their capital to one million of dollars.

Sections 18 and 19, prescribe the modes of proceeding of such banks and stockholders as may or may not accept the provisions of this act.

Sec. 20. All banks in the district, except the Franklin bank of Alexandria, from and after 1st Jan.

1820, to pay one-sixth of one per centum, on its capital stock, after netting 6 per cent. to its stockholders, to constitute a school fund for the education of indigent children in each town. Each bank, semi-annually, on paying their dividends and the aforesaid one per centum, to render an exact account of its condition to the secretary of the treasury—on failure thereof, or an attempt to defraud the fund aforesaid, congress have power to declare the charters null and void.

Sec. 21. This act to be in force from and after the passage thereof.

Tuesday, April 11. Mr. Alex. Smyth, Mr. Quarles, and Mr. Strother, obtained leave of absence, from next Monday, for the remainder of the session.

Mr. Smyth, from the military committee, who were instructed to enquire into the expediency of providing a more effectual remedy against duelling in the army and navy and in the district of Columbia, made a report, in which they state, "that they consider the existing law as amply sufficient, if executed, to repress duelling in the army," and they, therefore, ask to be discharged from further enquiry on the subject. The report was adopted by the house.

The house took up the bill from the senate to continue in force the act of the 20th April, 1818, supplementary to an act to regulate the collection of duties on imports and tonnage, passed the 2d of March, 1799, amended it by adding a section, extending the time for completing the entries, and for taking oath required in cases of exportation for benefit of drawback, to twenty days from the date of the clearance of the vessel: provided that all other regulations and formalities, heretofore established, shall be complied with. This amendment was ordered to be engrossed; and the bill to be read a third time to-morrow.

The engrossed bill, to alter the times of holding the courts in the district of Columbia, was read a third time, passed and sent to the senate for concurrence.

A great deal of private business was variously acted upon this day.

Wednesday, April 12. Several petitions of a general nature were this morning presented and referred, or ordered to lie on the table, viz:

By Mr. Sergeant, a petition of the printers and book-sellers in the city of Philadelphia, praying that additional duties may be imposed on paper imported into the United States.

By Mr. Sergeant, also, a petition of sundry inhabitants of the city of Philadelphia, praying that a duty of ten per centum may be laid on all sales at auction, except sheriff's sales.

By Mr. Baldwin, a petition from sundry iron founders and manufacturers of iron, in and near the city of Philadelphia, praying that additional duties may be imposed on iron imported into the United States.

By Mr. Baldwin, also, a memorial of the Pennsylvania society for the encouragement of American manufactures, praying that further protection and encouragement may be extended to the manufacturing interest of the country generally.

By Mr. Pinckney, a memorial and petition of sundry merchants and underwriters in the city of Charleston, in South Carolina, praying compensation for spoiliations committed on their lawful commerce, by cruizers under the French flag, between the years 1793 and 1800, their claims to which, upon the government of France, for indemnity, were abandoned on the part of the United States, in the convention on the 30th September, 1800.

The committee on the judiciary reported unfavorably on a bill from the senate "further to amend the judicial system of the U. S." The bill proposes to incorporate the two districts of Tennessee into one. The bill and report were laid upon the table.

The bill "concerning the banks in the district of Columbia," was read a third time; and the question being stated—"Shall the bill pass?"

The debate and proceedings on this bill, occupied nearly the whole of the sitting.

The result was, that the bill passed, but not without great opposition, and was sent to the senate for concurrence.

THURSDAY'S PROCEEDINGS.

In the senate.—A curious question of order was presented. On the bill to increase the salaries of certain judges, decided on the 11th inst. the votes were equally divided. Every bill that is not carried by a majority is considered as rejected. Mr. Walker, of Geo. who voted for the bill, moved its reconsideration. The president decided that the motion was contrary to the spirit of the rule. To accommodate Mr. Walker, Mr. Barbour, who had voted on the other side, moved to re-consider the vote—which being done, the bill was ordered to be engrossed for a third reading.

Several bills, of not much general importance, among them that to extend the charter of the city of Washington, (which was passed with an amendment) were read, laid upon the table, or passed, &c.

Some time was spent on the bill for the relief of sick and disabled seamen, after which the senate proceeded to the consideration of executive business.

In the house of representatives. The bill from the senate "to continue in force the act passed on the 20th day of April, 1818, entitled an act supplementary to an act entitled an act to regulate the collection of duties on imports and tonnage, passed the 2d day of March, 1799," was read a third time as amended, passed, and sent to the senate for concurrence in the amendment.

Thirteen private bills were passed and sent to the senate—others were referred, re-committed, &c.

Among the petitions received was one from certain distillers of Salem, Mass. against the imposition of additional duties on molasses.

The speaker laid before the house a letter from the secretary of war, transmitting a report of the superintendent of Indian trade, shewing the amount of goods furnished annually since the peace of 1815, to each Indian trading house, with the articles received in exchange or payment therefor, together with an account of sales of such articles, &c. made in obedience to a resolution of this house.

The house took up, and proceeded to consider the bill for the relief of general James Wilkinson, (for the indemnification of gen. W. from a judgment obtained against him in one of the courts of the state of Mississippi, in an action for false imprisonment, during the alarm of Burr's conspiracy.)

After considerable debate, the bill was ordered to be engrossed for a third reading.

Mr. Livermore moved to discharge the committee of the whole from the further consideration of the bill, for the alteration of the present tariff of duties on goods imported, with a view to its postponement. But the motion was declared not to be in order before the reading of the following bill:

Thereupon Mr. Barbour moved to lay that bill on the table; which motion was negatived.

The bill from the senate, supplementary to the act, "concerning navigation," was twice read, and was, on motion of Mr. Hill, referred to the committee on commerce.

Mr. Williams, of N. C. then moved to postpone until to-morrow the other orders of the day preceding that referred to by Mr. Livermore, with a view of then moving to postpone that bill, until the next session of congress.

Mr. Williams thought that there was not time to act upon this bill—so did Mr. Lowndes—however, the motion was withdrawn till to-morrow.

The house resolved itself into a committee of the whole on the bill respecting the half-pay of the surviving officers of the revolutionary army—the first section was stricken out, or the bill virtually rejected, by a majority of about twenty votes. But in the house, it was laid upon the table, the house not being full. Adjourned.

CHRONICLE.

Execution. The awful sentence of the law was executed on John F. Ferguson and Israel Denny, at Baltimore, on Thursday last. These unfortunate men were of those who seized upon the privateer Irresistible, in the port of Margarett, about a year since, and brought her to the United States; and on the voyage, also, they were charged with the commission of certain acts of piracy, of which they were convicted. A lively interest was taken to save them, by a petition to the president—there seemed to be many extenuating circumstances in their favor: but the president, though he treated the petition with marked respect, felt it necessary to shew that the laws against piracy would be carried into effect.

Com. Barron has so far recovered as to have left Washington for his residence at Hampton, Va.

Davis, the person detected in plundering the mail near New York, has been tried, found guilty, and sentenced to six year's imprisonment.

Maine. Gen. William King, (rep.) has been elected the first governor of the new state, almost without opposition.

Massachusetts. Gov. Brooks is re-elected by a probable majority of about 9000 votes. The senate, it is thought, will be composed of 21 federalists, and 10 republicans. It will be recollected that Maine is now separated.

Connecticut. Governor Wolcott, with the lieutenant, secretary and treasurer, have been re-elected without opposition. The republican ticket for senators prevailed with an increased majority, though the number of votes was not so large as usual—say by 2500 votes. The house of representatives is republican, by nearly two to one.

New York. The committee of enquiry into the conduct of judge Van Ness, of New York, have made a report to the house of representatives of that state, in which they express the opinion, "that there is nothing in the official conduct of the judge which requires the interposition of the constitutional power of the house."

Promotions and appointments in the navy and marine corps, confirmed by the senate.

Lieutenants in the navy to be masters commandant;

George Budd, Thomas Ap Catesby Jones, Joseph S. M'Pherson, John Porter, William Bolton Finch, William B. Shubrick, Benj. W. Booth, and Alexander Claxton.

Midshipmen to be lieutenants in the navy:

John Jay Young, Charles H. Bell, Abraham Bigelow, Otho Staffings, William Boden, (since dead) Zachariah W. Nixon, John P. Cambreling, Henry C. Newton, Frank Ellery, Frederick Varnum, Fre-

derick G. Wolbert, Walter Newcomb, Joseph R. Jarvis, Thomas W. Freelon and Pardon M. Whipple.

Samuel E. Watson, first lieutenant, to be captain of marines, vice Lyman Kellogg, resigned.

James M. Clements, second lieutenant, to be a first lieutenant of Marines.

To be surgeon's mates:

Joseph Kenz, Lou. Francis S. Beattie, Pa. Thomas J. Nelson, N. Y. James Cornick, Va. Robert F. Daudridge, Va. Charles R. Smith, Ct. William Williamson, N. J. William D. Babbit, Mass. Robert Falconer, N. C. Samuel C. Smith, Ky. Alexander Williams, Tenn. Joseph B. Stillman, N. Y. Thomas Boyd, Del. Edward Tilley, Md. George Terrill, Va. and David N. Mahon, Pa.

To be pursers in the navy:

John B. Fanning, Mass. Edward N. Cox, N. Y. and Nathaniel H. Perry, R. I.

To be second lieutenants in the marine corps:

Augustus A. Nicholson, S. C. Charles Betts, Va. Charles Sears, Mass. James M'Cawley, jr. Pa. Benjamin Macomber, R. I. George Cooper, Mass. Abraham N. Brevoort, N. Y. and Samuel S. Coejeman, N. J.

N. B. We understand, the Midshipmen, who would, under the order of the navy department, have been entitled to an examination, and who were at sea and not in a situation to be examined, will have their commissions, when given, dated back to the present time.—*Nat. Int.*

Civil appointments.

George F. Strother, at present a member of the house of representatives, from the state of Virginia, to be receiver of public moneys at St. Louis, in the territory of Missouri.

Tunstall Quarles, at present a member of the house of representatives, from the state of Kentucky, has been in like manner appointed receiver of public moneys, for the district of Cape Girardeau, in the territory of Missouri.

George Bullitt, of Arkansas, to be register of the land office at Cape Girardeau.

Hartwell Boswell, of Kentucky, to be register of the land office, for the district of Lawrence, in Arkansas.

John Trimble, of Kentucky, to be receiver of public moneys, at the same place.

William Douglass Simms, of Alexandria, to be register of the land office at Arkansas, in Arkansas.

Henry W. Conway, to be receiver of public moneys at the same place.

Benjamin S. Pope, of Alabama, to be register of the land office at Huntsville.

Obadiah Jones, of Alabama, to be receiver of public moneys, at the same place.

Christopher Ellery, of Rhode Island, to be collector of the district of Newport, R. I.

Barnabas Bates, of Rhode Island, to be collector for the district of Bristol, R. I.

Humphrey Peuke, of Virginia, to be collector for the district of Alexandria.

Died, at Charleston, Va. on the 29th ult. lieutenant John Packett, of the U. S. navy, in the 29th year of his age. A valuable officer, who served in the Constitution when she captured the Java, and in Perry's squadron, when he captured the British fleet on lake Erie.

—, At Oneida, (N. Y.) on the 16th ult. **Cornelius O. Tamany**, a venerable chief, and principal counsellor of the Six Nations, in his 89th year.

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 7—VOLUME VI.—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Intercourse with the Indian Tribes.

The following regulations, in addition to those prescribed in the circular of the 3d of September, 1819,* have been adopted, with the approbation of the president of the United States, to govern the future distribution of the sum appropriated by congress for the civilization of the Indians, among individuals or societies who have established, or contemplate establishing, schools for the education of Indian children, in conformity to the abovementioned circular, and who desire the co-operation of the government:

The position selected for the establishment, a plan of the buildings contemplated, with an estimate of the costs, to be submitted to the secretary of war, to be laid before the president.

Government will, if it has the means and approves of the arrangement, pay two-thirds of the expense of erecting the necessary buildings.

No part of the money to be advanced till after the buildings are commenced; and one-fourth to be reserved until they are completed. The payment to be made on the certificate of the agent of Indian affairs, for the tribe or nation in which the establishment is located, as to the facts of the commencement and completion of the buildings.

The president of the United States, will contribute, out of the annual appropriation, to each institution which may be approved of by him, a sum proportionate to the number of pupils belonging to each, regard being had to the necessary expense of the establishment, and the degree of success which has attended it.

No advance to be made except for the buildings till the school is in actual operation; of which fact, and the number of pupils belonging to it, the certificate of the superintendent, or person having the principal control of the institution, will be sufficient evidence.

A report will be annually made for each establishment on the 1st of October, of the number and names of the teachers and other persons belonging to it; the number of students; the number which have completed their course and left the institution, since the first day of October of the preceding year; the number entered, the amount of disbursements for the same period, and the value and description of property on hand: which report will be certified by the superintendent, or person having the principal control of the establishment.

It is considered, to be the duty of all persons who may be employed, or attached to any institution, not only to set a good example of sobriety, industry, and honesty, but, as far as practicable, to impress on the minds of the Indians the friendly and benevolent views of the government towards them, and the advantage to them in yielding to the policy of government, and co-operating with it in such measures as it may deem necessary for their civilization and happiness. A contrary course of conduct cannot fail to incur the displeasure of government, as it is impossible that the object which

it has in view can be effected, and peace be habitually preserved, if the distrust of the Indians, as to its benevolent views, should be excited.

J. C. CALHOUN.

Department of war, February 29, 1820.

Legislature of Maryland.

Communication of the executive of Maryland, to the legislature.
December session, 1819.

IN COUNCIL, Annapolis, Dec. 6, 1819.

To the honorable the president of the senate, and the honorable the speaker of the house of delegates.

Gentlemen—We have the honor of submitting to the legislature the following statement of our proceedings, under sundry resolutions and acts, prescribing certain duties to this department.

The resolution, directing the treasurer of the Western Shore to make a disposition of several species of bank notes therein designated, has been carried into effect, so far as any control over the same attached to us, and for information of the result, we beg leave to refer to a communication from the treasurer on that subject, herewith transmitted, marked A.

Agreeably to the provisions of the resolution authorizing the executive to employ counsel for the protection of the state's interest in the controversy then pending with the branch bank of the United States in the city of Baltimore, we immediately selected the attorney general of Maryland, the hon. Joseph Hopkinson, of Philadelphia, and Walter Jones, Esquire, of Washington, as advocates of the state's claim in the supreme court of the U. States, and allowed them such a compensation as we considered equal to their services. Although this case has been decided against the state, we have the satisfaction of being assured, that her claim was ably supported, and that nothing was wanted in zeal and talents of the counsel, to have procured a different termination of the court.

In pursuance of the several instructions given to us by the resolution respecting the roads and canals of this state, we have transmitted to the secretary of the treasury of the United States, such suggestions and information as it was in our power to make; a copy of which we herewith lay before the legislature. B.

The resolution requiring the governor to forward to the executive of Virginia a copy of the act, for incorporating a company to erect a toll bridge across the Potomac river opposite Shepherdstown, has been duly attended to.

Conformably to the provisions of the resolution respecting the sale of the gunpowder at Easton and Annapolis, we have caused that portion of it at the former place, to be removed to Baltimore, with instructions to the agent of the state there for the collection of arms &c. to dispose of it in a manner most advantageous to the state; but having been informed by him, that the article, not being in demand, would not produce a price that, in our opinion, could justify a sale, it of course remains with him for future disposal.

We have deemed it advisable to retain so much of it, as was at the seat of government, with the exception of a small quantity disposed of by the armorer at this place, and by him accounted for with this department in a settlement of his claims against the state.

On the subject of the arsenal, it would seem that establishments at Easton, Annapolis, Fredericktown and Baltimore, are fully sufficient for the purposes required of them. It is absolutely necessary, that some person should be charged with the superintendence of the public property, and the delivery of arms to the militia in Baltimore; and from the importance of that place to the state, its central position, and facility of access to all parts of the state, it is respectfully submitted, whether it would not be proper to form a permanent establishment in, or near Baltimore, suited to the demands and conveniences of the place. The United States having erected buildings of considerable extent in several parts of the state, it is probable that some arrangement might be made, which would give the state the advantage of a deposit, constantly under the protection of a regular guard. The state keeping no troops in service, the advantage of this plan is suggested for consideration.

We transmit for the information of the general assembly, a report made by the clerk of this department, with his usual accuracy and diligence, in the fulfilment of the duties of his office, calculated to exhibit, in a plain and concise manner, a full account of the arms belonging to the state, from the commencement of the late war down to the present time, marked C.

The register of the land office is proceeding, under the resolution requiring him to transcribe a certain record book, and make indexes, as therein prescribed. As we have found it difficult to ascertain the value of the work until it shall be performed, we have forbore to enter into an agreement with him for any specific sum, and have only yet allowed him a partial advance of money, not more (on the most moderate scale,) than we considered correspondent with the progress he has made in discharge of the duty required of him.

*See Weekly Register, vol. XVII, page 32.

Under the resolution respecting the appointment of commissioners to view and inspect the United States' turnpike road, running through Allegany county, three gentlemen of that county were appointed commissioners for the purpose intended. Two of them having declined to act, nothing further has been done under the resolution upon that subject.

Of the sum of one thousand dollars deposited in the treasury of the western shore, subject to our order, for the payment of militia claims, we have applied to that purpose, seven hundred and ninety-four dollars and forty cents, and we have no knowledge of the existence of any other demands on the state of that character, for which the balance can be required.

The act entitled "An act to relieve the people of this state, as far as practicable, from the evils arising from the demands made on the banks of this state, for gold and silver by brokers," &c. has been published, as directed by the resolution upon that subject.

Under the resolution of the general assembly, calling on the executive to direct the attorney general to prosecute such remedies as the state may have against the officers of the Union Bank of Maryland for refusing to permit Thomas Fairfax, esq. assignee of the state, to subscribe for a certain number of shares, agreeably to the rights transferred to him for that purpose, we have taken the earliest steps to protect the interest of the state. See paper marked D.

The provisions of the resolution, authorizing the governor to draw on the treasurer of the western shore in favor of the paymaster of the 23rd regiment of militia for the amount, ascertained by the clerk of the council to be due to said regiment, have been complied with by the payment of five hundred and twenty-one dollars and eighty-six cents, to the paymaster thereof.

Under the authority delegated to us to procure the digests of the laws of those states and territories which have not been procured, and also Sybert's Statistical Annals of the U. States, we have employed Mr. George Shaw, of Annapolis, to aid us in effecting the object of the resolution, who has succeeded in obtaining the latter which have been distributed as directed.

We have forwarded to the seat of the general government, for the senators and representatives of this state in congress, the resolution respecting the erection of a light-house on the Bodkin Point, as required by the legislature.

A copy of the act, for settling the western limits of this state, and the dividing line between Maryland and Virginia, has been forwarded to the executive of the latter, for the purpose of being laid before the legislature.

As no application has been made to this department for a license under the act, providing for the increase of the revenue of this state, by laying a tax on brokers and lottery office keepers, we are induced to believe, that the said act is either considered by those descriptions of our citizens as entirely inoperative, or has been by them disregarded with impunity, as we are not informed of any prosecution having been instituted in any court in this state for a violation of the provisions of the said law.

The money appropriated for covering the wall enclosing the state house circle, has been applied as directed, and the amount exceeded by a few dollars, an account whereof we were with submit. As the impaired state of the work intended to be protected by this appropriation, rendered it impossible to know the extent of the injury it had received by exposure, without such an examination as could not be had; but as the work progressed, we were precluded from an opportunity of ascertaining the expense till it was completed.

We transmit a letter received from James Elliott, president of the Cumberland turnpike road, stating the terms on which the managers of that company are willing to dispose of the road to the state, marked E.

We take pleasure in laying before the legislature certain resolutions of revolutionary officers of the state of Pennsylvania, committed to our care, with that view, entertaining the full confidence, that they will meet the attention they merit, as proceeding from the most respectable and honorable source. The design appears to be, to obtain the countenance of the government of Maryland to claims on the general government in favor of those who, with their blood, have sealed the independence of that country, to which they now appeal for a remuneration of services not to be forgotten; and in obtaining which, a few of our own valuable fellow citizens are equally interested with the memorialists of our sister state. Papers marked F.

We consider it proper also to lay before the legislature a letter addressed to this department by the committee of the Athenaeum, a literary institution in the city of Philadelphia; and also a pamphlet containing the laws and regulations of the American Anti-Quarian Society, a similar institution in the state of Massachusetts. These societies, being desirous of obtaining copies of the laws of every state in the union, to be deposited in their libraries, we hope the legislature will aid their useful intentions, by authorizing the executive to present to each of them, a copy of Kilty's laws, and also the new compilation now nearly completed, a donation which we are well assured will be very acceptable. G.

We transmit for the information and attention of the legislature the following papers addressed to this department, viz.

A letter from the governor of Pennsylvania, with a copy of a law of that state respecting the navigation of Octopus creek. H.

Another letter from the governor of Pennsylvania, enclosing a resolution passed by the legislature of that state proposing an amendment to the constitution of the U. States. I.

Another letter from the governor of Pennsylvania, enclosing a resolution of the same legislature respecting obstructions to the navigation of the Susquehanna river by the canal company, and other papers in our possession, relative to that subject. K.

A letter from the governor of South Carolina, enclosing a resolution of the house of representatives of that state, disapproving

of an amendment to the constitution of the United States, proposed by the legislature of the state of North Carolina, to establish an uniform mode of electing electors of president and vice-president. L.

Also sundry papers in support of the application of William Wood to this department, for a remuneration for his expenses and services in the apprehension and transportation from the city of Baltimore to All-gany county, for trial, of three men by name of Cotterill, charged with a murder, and since tried and convicted. As the application states no particular claim, we have not judged it proper to make a discretionary allowance out of the coming out fund, but have thought it best to refer the subject to the consideration of the general assembly, particularly, as it may lead to the adoption of a general provision by law in cases of this kind, prescribing the mode in which criminals, taken at a distance from the place where their crimes were committed, shall be conveyed to the proper county for trial, and providing for the expenses of their arrest and transportation. It is due to Mr. Wood to express our belief, that he deserves to be liberally rewarded for his great exertions in bringing these offenders to justice, and for expenses incurred, money advanced, and loss of time and property, in effecting it. M.

For the information of the general assembly relative to the situation of the claim of the state upon the United States' government for militia expenditures during the late war, we transmit a letter lately received from John Leeds Kerr, esq. the state's agent; and we have the satisfaction to inform you, that the treasurer of the western shore has lately received a further advance of one hundred thousand dollars on account of this claim. We should do injustice to the agent, not to bear our testimony to the diligence and ability with which he has prosecuted the state's claim, that has been intrusted to his care. N.

The constitution not having particularly prescribed to the executive, the duty of recommending to the consideration of the legislature, such measures as they may judge necessary and expedient, we ought not, perhaps, to extend this address beyond the succinct account before given of our proceedings under the several acts and resolutions of the general assembly, delegating to us particular duties to be performed during the present year, and the necessary notice of the papers we have transmitted. As, however, the executive department of a free republic, from the very nature of its official situation, is bound, at all times, to watch over the concerns and interests of the state over which it presides, with a vigilant and superintending eye, it is hoped, that it will not be deemed officious or intrusive, if we venture to invite the attention of the legislature, to a few subjects, which we deem important to the welfare of our political community. On the subject of the foreign relations of the union, of which our state is a member, we shall forbear to offer any remarks. We have the gratifying certainty, that our country is at this time, in the enjoyment of peace with all the world, a blessing which we sincerely pray may long be continued. And if a speck of war is perceived by the over-sageous or the timid, in a particular quarter of the horizon, (an event which, although possible, we do not believe to be probable,) we have the satisfaction to know that our country is equal to all its trials, and that the management of such concerns is in hands, to whose wisdom and fidelity they have been, constitutionally, and we trust, safely confided. Without at pining, therefore, out of our way in search of subjects over which we can have no control, it will be enough for this and the other departments of the state government, if, within the more limited sphere of interest intrusted to their care, they shall be enabled, by the enactment of wise and wholesome laws, by their prudent and faithful execution, and by the examples of their own lives, to protect every individual of our community in the enjoyment of all his rights, to promote morality and religion, to encourage industry and economy, and to thus increase the sum of general happiness which our citizens are now to enjoy.

In adverting to the situation of our own state during the year that is past, it is not to be expected, that we should have every thing to rejoice at, and nothing to lament; that every thing should be gay and prosperous, and nothing gloomy or unfortunate. For very abundant crops of two of our principal staples, one sufficient for our own supply—of the other, and for many other bounties which it would be tedious to enumerate, we have cause to be thankful, in humility and sincerity, to that Providence, which gives us the seed time and the harvest. And if the general brightness of the picture of our situation has been obscured by one cloud of calamity if we are compelled to turn, yes, with sorrow and dismay, to the destructive malignant fever with which our commercial city has been visited, still let not our gratitude for other blessings be converted into discontent, and murmuring. Let us see in it the hand of chastening, not an avenging God, and bow in pious submission to his inflictions and in gratitude for the deliverance that has been experienced. In speaking of this distressful occurrence we should be unjust if we did not notice, with proper commendation, the laudable and benevolent exertions of the citizens of Baltimore, in the protection and support, for many weeks, chiefly by donations of private charity, of many hundreds of poor persons, exiled from their homes, and lodged in temporary barracks and tents. In aid of this plan of the corporation, the governor, in the absence of the council, took it upon himself to order to the mayor of the city, the use of the tents and camp equipage of the state in the arsenal there, an act, which, if it was an assumption of power, he confidently relies upon the sympathy of the legislature with the sufferers, to excuse or justify.

Among the subjects, which we deem it our duty to present to the attention of the legislature at this time, the state of the revenue is, perhaps, one of the highest importance and most pressing necessity. From various causes the revenue has become inadequate to meet the necessary annual expenses of the state. The deficit is not, at this moment, in our power, nor is it necessary for the

purpose of this address, to state with precision. It will appear in a full and detailed statement, in the annual report of the treasurer. Among the causes that have produced this unpleasant state of things, the lenity and indulgence of the state to its debtors, until many have become insolvent, has been gradually operating for many years, until the aggregate loss has, at length, become very considerable. But a more abundant source of our present fiscal embarrassments has been the great expenses inevitably incurred in the defence of the state during the late war, for which, as almost every source of efficient revenue was occupied by the general government, it was impossible for the state to provide at the time by any direct tax that would not have been too burdensome for our fellow citizens then to have borne. This will readily be perceived, when it is stated that the whole amount of our war expenditures (not greater indeed than might have been expected from the length of time the enemy occupied the Chesapeake and the frequent invasion of our shores) exceeded the sum of four hundred and seventy-four thousand five hundred dollars. Another cause of the diminution of the revenue is to be found in the present distressed and embarrassed state of the banks, in consequence of which a considerable part of the income formerly derived from a capital of about five hundred thousand dollars, invested in those institutions, is now suspended, if it be not lost forever. Without extending this enquiry into the causes to which the present deficiency of the revenue is attributable, the fatal consequences of delaying to meet the difficulty will be obvious to every reflecting mind, as without applying a prompt remedy to the evil, an irreparable and to the necessary expense of the government, each successive year must produce an increased consumption of our capital, until, by its total exhaustion, there will be little or no other resources left for the support of government, than an annual tax.

The constitution having very properly intrusted the raising of revenue, as well as the disposal of the public funds, to the immediate representatives of the people, in whose wisdom we have a just reliance, it does not become us to advise or point out any particular measures under the existing difficulties. We will only take leave respectfully to observe, that whatever saving can be effected, by strict economy, in any branches of expenditure, will be equivalent to a corresponding acquisition of revenue; and that we are persuaded, the wisdom of the legislature will be able to devise indirect sources of revenue fully adequate to the present deficiency, without at all resorting to a state tax, which, in the present general pecuniary distress, would certainly be oppressive to our fellow citizens. The important interest the state holds in the capital of its several banks, will of course draw the attention of the legislature to legal regulations, that may be necessary to save and render valuable so large a property, and at the same time, if possible, to protect our citizens from the inconveniences and losses, they daily sustain, by the great instability in the value of their notes. Considerations of delicacy, connected with recent occurrences, restrain us from enlarging upon this subject.

The intimate connection, and important influence of the state of education and public instruction, upon the habits, the morals, the religion, consequently the happiness of every society, present this subject also as an object of primary regard. Some considerable advantages have unquestionably arisen in particular places, from the aid that has hitherto been given by the state to schools, established by the laudable exertions of individuals; but the establishment of schools in the different neighborhoods or districts throughout the state, in order, as far as may be practicable, to afford to those (whose pecuniary means enable them to do so) but little for themselves, an opportunity to give to their children plain, but useful education, to be extended further where peculiar genius is found, presents to the mind of the statesman a system, we will admit of greater difficulty than the occasional endowment of a seminary, but at the same time, of more important duty.

What has been effected under the bank fund provided by law, some years ago, for the establishment of a certain number of schools in each county, we have not been informed. But we have reason to believe, that in some counties no benefit has resulted from it. This primary object of establishing a sufficient number of schools in each county being first accomplished, the plan of possessing at least one seminary in the state, that will open the avenues of every science to our youths of enterprise and genius, and will enable them to complete their education within their own state, thus saving to ourselves the great sums annually expended in distant schools, appears to be in a measure of sound policy, and might be conceived, in a system of general education and superintendence, with the primary plan of neighborhood schools. In contemplating this idea, the recollection naturally reverts to the great advantages once experienced from the seminary long established at the seat of government, whose convenient situation, former usefulness, and local fitness in respect for such a purpose, seem to present it as particularly deserving of regard and countenance. At this time, it is true, the funds of the state do not admit of an extension of pecuniary aid to the purposes of education, beyond the existing appropriations. But it appears advisable to have so important a subject yearly under constant implication for the purpose of maturing the most practicable system. And as that great fund of national wealth, the waste-lands, are equally the property of every state in the union, having been either conquered by the sword, or purchased by the common purse; and as it has been the wise policy of the general government, in every sale of those lands to reserve a considerable part for the endowment of schools there, we do not see why the Atlantic states may not justly claim a portion of that common fund for the same purpose, nor why, with proper exertions, it may not be obtained.

The anxiety manifested by the general assembly at the last session, as well as on former occasions, in regard to the internal improvements of the state by roads and canals, seem to render

it almost unnecessary for us to touch that subject, or feel indifferent to it.

We believe there is no subject upon which the impartial expenditure of public money will be more readily sanctioned by the approbation of our fellow citizens than the one here alluded to. It is one whose beneficial influence is felt as much by the farmer as the merchant, by the country as the city, and indeed extends its salutary effects to every department of industry. The roads and canals connected with the prosperity and advancement of our own commercial metropolis, and those leading to the city of Washington and Georgetown, which, although ceded from our jurisdiction, ought not to be on that account, less the object of our regard and justice, form the most extensively useful and important parts of any system of internal improvement, we can propose to your consideration. But attention is also due to every other part of the state, where a little public aid, co-operating with the exertions of individuals particularly interested, may often build a bridge, make a road, improve a river, or open a canal, which private resources alone would not be capable of accomplishing. At this time, it is not in our power immediately to engage in works of this kind, yet little expense would be incurred in making surveys and examinations of the country, in particular places, with a view to future undertakings of public utility. Even at this time it might perhaps be deemed advisable, by those who feel an interest in the prosperity of the metropolis of the state, to ascertain whether it be not practicable to connect it with the cities of Washington and Baltimore, and the rich county of Frederick, by roads much shorter and better than those now in use.

Forty years have elapsed since the passage of the insolvent law now in force. This length of time has afforded an opportunity to test by experience the practical wisdom and utility of the system that has been adopted on that subject. And it may also, the lapse of time has put it in the power of citizens and cunning to convert a law, intended for benevolent, just and salutary purposes, into an instrument of fraud and dishonesty. That the laws of the country should intrepidly to protect unfortunate and honest debtors from the oppression of hard-hearted and severe creditors, is certainly a sound policy, indeed an axiomatic duty. But that an indulgent and merciful creditor should be troubled of his just debt, by means of fraudulent conveyances or concealments of property, by an unprincipled debtor, who possesses the means of payment, is an injustice, for which no legislature could ever have intended to afford an opportunity by the provisions of its laws. Of occurrences of this sort, we believe complaints have been heard in every part of the state. It is therefore respectfully submitted to the wisdom of the legislature, whether it is not advisable to revise the system of insolvent laws, with a view to the adoption of provisions completely protective of the really unfortunate debtor, and with a better allowance of his property for his immediate support than is now authorized by law, and at the same time equally protective of the just rights of the humane and merciful creditor.

The writ of *habeas corpus*, so essential to the protection of the rights of personal liberty when illegally invaded, has sometimes, we understand, been eluded from the want of adequate means to enforce obedience to it. For this purpose, the proceeding authorized by law is null and void, to be, an attachment for the contempt committed in not complying with the mandate of the writ. This may suffice in cases of illegal arrest and imprisonment by persons resident among us. But in the case of persons who reside in distant states, and come here in the prosecution of a particular description of traffic, in which individuals, entitled to freedom, have sometimes been seized and transported by force, it seems not to be a sufficient safeguard; in such cases, the procurement of writ of *habeas corpus* only serves as notice to the oppressor to fly, with his victim, with all possible speed, beyond the jurisdiction of the judge or court issuing the writ, by which he at once becomes safe. If the present provisions of the law be such as we suppose, the legislature will judge of the propriety of their interposition.

The only remaining subject, to which it appears necessary, at this time, to invite the attention of the legislature, is the state of our militia. It is naturally to be expected that, in a season of profound peace, when no danger threatens the attendance on numbers, and the fatigues of discipline, will be somewhat neglected by an indolent people, whose time is valuable to them. And indeed it does not appear necessary, in a time of peace, for any utility, to interrupt the general industry of the country by more numerous musters than may be absolutely essential to the keeping up a militia system. But the regular enrolment of every man within the prescribed ages, in some company, and the proper arrangement and organizing of the whole body of the militia, so as to maintain the amount of that description of force, and to enable a constitutional call for its services, upon any emergency, by the proper authorities, either of the state or the general government, to be promptly complied with, seem indispensable to make it, what it certainly ought to be, the true and only proper defence of a free country. The enrolment of those liable to be made members of the militia, we believe has been much neglected. Whether this is owing to any defect in the existing laws or to the difficulty of exciting attention to the subject in our present state of peace, we are not prepared to say, but we are inclined to believe that some further legal provisions might be useful to secure among the officers a regular attention to this duty. Of this however the legislature, when they examine the subject, will be the best judges.

These several subjects we have discussed; our duty respectfully to submit to the wisdom and consideration of the general assembly, which we do with a full assurance that they will bestow on them the attention they may be supposed to deserve, and that they will take such measures in relation to them, as may best comport with the true interests of the state.

We have the honor to be, very respectfully, your most obedient servants,

C. GOLDSBOROUGH.

Proof of Cannon, &c.

The following shews the great caution and precision, so far as relates to those subjects, which have resulted from the establishment of the navy board.

Table, showing the quantity of powder, the number of shot, the number and length of the wads, the number of men necessary to ram, the number of strokes required on each wad, in the operation of loading, with the proof charge, guns and carronades of iron, as described below; established by the board of navy commissioners, April 28th, 1816.

Description of Guns and Carronades.	Proof.	Powder.		Wad.....	Men.....	Strokes.....	Shot.....	Wad.....	Men.....	Strokes.....	Shot.....	Wad.....	Men.....	Strokes.....
		lbs.	oz.	inch	no	no	no	inch	no	no	no	inch	no	no
Forty-two pound <i>long guns</i> , : : : do. do. : : :	1st	28		14	2	4	1	14	3	8	1	14	4	10
	2d	21		14	2	4	1	14	3	8	1	14	4	10
Forty-two pound <i>carronades</i> : : : do. do. : : :	1st	8	5	8½	2	4	1	8½	3	8	1	8½	4	10
	2d	6	1	8½	2	4	1	8½	3	8	1	8½	4	10
Thirty-two pound <i>long guns</i> , : : : do. do. : : :	1st	21	4	12½	2	4	1	12½	3	7	1	12½	4	9
	2d	16		12½	2	4	1	12½	3	7	1	12½	4	9
Thirty-two pound <i>carronades</i> : : : do. do. : : :	1st	6	5	8½	2	4	1	8½	3	7	1	8½	4	9
	2d	5	8	8½	2	4	1	8½	3	7	1	8½	4	9
Twenty-four pound <i>long guns</i> , : : : do. do. : : :	1st	16		11½	2	3	1	11½	3	6	1	11½	3	10
	2d	12		11½	2	3	1	11½	3	6	1	11½	3	10
Twenty-four pound <i>carronades</i> , : : : do. do. : : :	1st	5		7½	2	3	1	7½	3	6	1	7½	3	10
	2d	3	9	7½	2	3	1	7½	3	6	1	7½	3	10
Eighteen pound <i>long guns</i> , : : : do. do. : : :	1st	12		10½	1	4	1	10½	2	6	1	10½	3	9
	2d	8		10½	1	4	1	10½	2	6	1	10½	3	9
Eighteen pound <i>carronades</i> : : : do. do. : : :	1st	3	8	7	1	4	1	7	2	6	1	7	3	9
	2d	2	10	7	1	4	1	7	2	6	1	7	3	9
Twelve pound <i>long guns</i> , : : : do. do. : : :	1st	8		9	1	3	1	9	1	5	1	9	3	8
	2d	6		9	1	3	1	9	1	5	1	9	3	8
Twelve pound <i>carronades</i> : : : do. do. : : :	1st	2	5	5½	1	3	1	5½	1	5	1	5½	3	8
	2d	1	10	5½	1	3	1	5½	1	5	1	5½	3	8
Nine pound <i>long guns</i> , : : : do. do. : : :	1st	6		8½	1	2	1	8½	1	5	1	8½	2	7
	2d	4	6	8½	1	2	1	8½	1	5	1	8½	2	7
Six pound <i>long guns</i> , : : : do. do. : : :	1st	4		7	1	2	1	7	1	4	1	7	2	6
	2d	3		7	1	2	1	7	1	4	1	7	2	6

In all cases the powder must be of standard proof; that is, of such strength, that an ounce, avoirdupois, will propel a 24 lb. ball, from an iron eprouvette, at an elevation of 45 degrees, 200 yards. If in any case powder of this standard proof cannot be procured, and it should be absolutely necessary to proceed to the proof with inferior powder, then the quantity must be increased proportionately, so as to attain, as nearly as possible, the force of powder of standard proof.

The powder, the shot and the wads, are on all occasions to be shoved home, though gently, before the ramming shall commence.

Previous to proving carronades with powder and shot, their nave rings must not only be carefully examined, but proved by strokes with a hammer, to be given by a strong man, as follow:

Description of carronades.	Weight of hammer.	Length of handle.	Number of strokes on each of the four sides.
Forty-two pound carronades,	12 ounces,	14 inches,	Three.
Thirty-two do. do.	11 do.	13 do.	do.
Twenty-four do. do.	10 do.	12 do.	do.
Eighteen do. do.	9 do.	11 do.	do.
Twelve do. do.	8 do.	10 do.	do.

The breach rings of carronades, as well as the trunnions and breach rings of long guns, are also to be particularly examined, to see if they are clear of cracks, and in other respects perfectly sound. The trunnions are to be proved in the mode prescribed for the proof of the nave rings of carronades; but the hammers are to be twice the weight of those prescribed for the proof of nave rings. The breach rings of carronades and of cannon need not be proved by the hammer, unless there should be indications of imperfection.

After being proved, every gun must be well searched with a searcher; and any gun found to have a defect, or to be honey-combed one tenth of an inch inside, or two tenths of an inch on the exterior, is not to be received without being proved four times: that is, twice with the first, and twice with the second charge. And should the guns be received, after undergoing such proof, the proprietor of the works is to be at half the expense of so proving them. No gun having a greater defect can be received.

In all cases the diameter of the wads is to be as large as the muzzle of the guns will receive, so that there shall be no windage whatever. Hard wads only are to used, and they must invariably be made of rope yarns.

The shot selected for proving must be perfectly globular in form, and they must be, in diameter, so near the caliber of the gun that the windage shall in no case exceed one tenth of an inch.

The calibers, or diameters of the bores, of iron guns and carronades, must be of the dimensions stated in the following table:

Description of Guns and Carronades.		Calibers, or diameters of the bores.	REMARKS.
		inches.	
42 lb.	long guns,	7.018	Any gun varying from these dimensions more than one-fifteenth of an inch will not be received. The manner of detecting any unevenness or inequality in the interior of the guns, occasioned by the boring, is, by reflecting light into them by a mirror, so that the gauge can be seen, during the whole process of passing it, from the muzzle to the bottom of the bore, or chamber.
32 lb.		6.410	
24 lb.		5.824	
18 lb.		5.292	
12 lb.		4.623	
9 lb.		4.200	
6 lb.	carronades	3.668	
68 lb.		8.05	
42 lb.		6.85	
32 lb.		6.25	
24 lb.		5.67	
18 lb.		5.14	
12 lb.		4.50	

After having undergone this proof and the subsequent searching, the cannon and carronades are subject to the water proof, by means of a forcing pump, or hydraulic press, prepared for that purpose—repeating three times the effort to force the water through any honey combs or flaws which may be in the bore, the pieces will be left to dry, and the next day they must be examined by the reflected light from a mirror—any small holes or flaws will be discovered by the water continuing to weep from them, when the solid parts are perfectly dry.

Commercial and Manufacturing.

The following bill has been reported by the committee of manufactures, and is now before the house of representatives:

A BILL to regulate the duties on imports, and for other purposes.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, from and after the thirtieth day of June, one thousand eight hundred and twenty, the duties heretofore laid by law on goods, wares, and merchandise, imported into the United States, shall cease and determine, and there shall be levied, and collected, and paid, the several duties hereinafter mentioned, that is to say:

First. A duty of 12-2 per centum ad valorem on all dying drugs and materials for composing dyes, not subject to other rates of duty; gum Arabic, gum Senegal, salt petre, jewelry, gold, silver, and other watches, and parts of watches; gold and silver lace, embroidery, and epaulettes; precious stones, and pearls of all kinds, set or not set; Bristol stones or paste work, and all articles composed wholly or chiefly of gold, silver, pearl, and precious stones; and laces, lace veils, lace shawls, or shades, of thread or silk.

Second. A duty of twenty per centum ad valorem, on gold leaf, and on all articles not free, and not subject to any other rate of duty.

Third. A duty of twenty-five per centum ad valorem on hempen cloth or sail cloth, (except Russia and Holland duck,) printing types, all articles of brass, copper, iron, steel, pewter, lead, or tin, or of which these metals, or either of them, is a component material; brass, wire, cutlery, pins, needles, buttons, button moulds; buckles of all kinds, japanned wares of all kinds; cannon muskets, fire arms and side arms, and Prussian blue: *Provided,* That where any person, who has imported copper in sheets or plates, shall, within twelve months after such importation, produce to the collector satisfactory evidence that the same was imported subsequently to the thirtieth day of June, one thousand eight hundred and twenty, and that the duties thereon have been paid, and that the same has been actually used in the building or repairing of ships or vessels, there shall be allowed a drawback of the duties herein imposed, in the manner and under the same regulations, as are provided for by the existing laws.

Fourth. A duty of thirty-three per centum ad valorem on woollen manufactures of all descriptions,

or of which wool is a component material, and on cotton manufactures of all descriptions, (except of the growth or the manufacture of any place or country beyond the Cape of Good Hope,) or of which cotton is a component material, and on cotton twist, yarn, or thread, a duty of thirty-three per centum ad valorem; on nankeens, and cotton manufactures of all descriptions, or of which cotton is a component material, the produce or manufacture of, or imported from, any place, or country, beyond the Cape of Good Hope, a duty of forty per centum ad valorem; *Provided*, That all cotton cloths, or cloths of which cotton is a component material, the cost of which, at the place whence imported, with the addition of twenty per centum, if imported from the Cape of Good Hope, or from places beyond it, and of ten per centum if imported from any other place, shall be less than twenty-five cents per square yard, shall, with such addition, be taken and deemed to have cost 25 cents per square yard, and shall be charged with duty accordingly; *Provided, also*, That all unbleached, and uncolored cotton twist, yarn, or thread, the original cost of which shall be less than sixty cents per pound, shall be deemed and taken to have cost sixty cents per pound, and shall be charged with duty accordingly; and all bleached or colored yarn, twist, or thread, the original cost of which shall have been less than seventy-five cents per pound, shall be taken and deemed to have cost seventy-five cents per pound, and shall be charged with duty accordingly; a duty of twenty-five per centum ad valorem, on all manufactures of linen, or of which flax is a component material; *Provided*, That all linen cloths, or cloths of which linen is a component material, from whatever place, the cost of which at the place whence imported, with the addition of ten per centum, shall be less than twenty-five cents per square yard, shall, with such addition, be taken and deemed to have cost twenty-five cents per square yard, and shall be charged with duty accordingly.

Fifth. A duty of forty per centum ad valorem, on clothing ready made; on all bonnets, hats, and caps of wool, fur, leather, chip, straw, or silk, or of which either is a component material; *Provided*, That if the cost of the same at the place whence imported, with the addition of ten per centum, shall be less than one dollar each, they shall be deemed and taken to have cost one dollar each, and shall be charged with duty accordingly; a duty of thirty per centum ad valorem on all manufactures of silk, from any place or country beyond the Cape of Good Hope; a duty of thirty-five per centum ad valorem on printed books, painted, stained, or colored paper, or paper hangings, clocks, and time pieces; on umbrellas, parasols, (of whatever materials made, and sticks, stretchers, and other parts, and all furniture for umbrellas and parasols; on bonnets and caps for women, not otherwise enumerated; fans, feathers, ornaments for bodices, artificial flowers, millinery of all sorts, cosmetics, washes, balms, perfumes, painted floor cloths, oil cloths, mats of grass, or flags, salad oil, pickles, capers, olives, mustard, confits, and sweetmeats, preserved in sugar or brandy, confectionary, wafers, cabinet wares, and all manufactures of wood; coach lace, carriages of all descriptions, and all furniture, trimmings, and parts thereof; leather, and all manufactures of leather, or of which leather is a component material; saddles, bridles, harness, parchment, brushes, canes, walking sticks, whips, gilt and plated wares, cut glass, china wares, earthen, crockery and stone wares; marble, alabaster, and all work or manufactures thereof. And in all cases where an ad valorem du-

ty shall be charged, it shall be calculated on the invoice price of the articles at the place whence imported, or on the estimated price, according to the provisions of this act, (exclusive of packages, commissions, and all charges,) with the usual addition established by law, of twenty per centum on all merchandise imported from places beyond the Cape of Good Hope, and of ten per centum on articles imported from all other places, together with the amount of all such bounties, premiums, drawbacks, allowances or discounts, as may be given, paid or allowed, in the place or country whence imported; which shall be ascertained and calculated in such manner, and under such rules and regulations, as shall, from time to time, be prescribed by the secretary of the treasury.

Sixth. The following duties, severally and specifically: on ale, beer, and porter, in bottles, twenty cents per gallon; on ale, beer, and porter, imported otherwise than in bottles, fifteen cents per gallon; on alum, three dollars per hundred weight; on almonds, four cents per pound; on black glass bottles, two dollars per groce; on boots, two dollars per pair; on bristles, three cents per pound; on playing cards, thirty-five cents per pack; on tarred cables and cordage, four cents per pound; on untarred cordage, yarns, twine, pack thread, and seins, five cents per pound; on tallow candles, five cents per pound; on wax and spermaceti candles, eight cents per pound; on Chinese cassia, ten cents per pound; on cinnamon, thirty-three and one third cents per pound; on cloves, thirty-five cents per pound; on cheese, nine cents per pound; on chocolate, four cents per pound; on cocoa, three cents per pound; on coal, six cents per heaped bushel; on copperas, two dollars per hundred weight; on copper rods, bolts, spikes, or nails, and composition rods, bolts, spikes, or nails, four cents per pound; corks, fifteen cents per pound; on coffee, six cents per pound; on cotton, six cents per pound; on currants, four cents per pound; on figs, four cents per pound; on foreign caught fish, one dollar per quintal; on mackerel, one dollar and fifty cents per barrel; on salmon, two dollars per barrel; and on all other pickled fish, one dollar per barrel; on window glass, not above eight inches by ten inches in size, three dollars per hundred square feet; on the same, not above ten inches by twelve inches in size, three dollars and twenty-five cents per hundred square feet; on the same, if above ten inches by twelve inches in size, three dollars and seventy-five cents per hundred square feet; on plain uncut flint glass, ten cents per pound; on glue, ten cents per pound; on gun powder, ten cents per pound; on hemp, two dollars and fifty cents per hundred weight; on iron, or steel wire, not exceeding number eighteen, five cents per pound, and over number eighteen, nine cents per pound; on iron in bars and bolts, excepting iron manufactured by rolling, one dollar and twenty-five cents per hundred weight; on iron in sheets, rods, and hoops, three dollars per hundred weight; and in bars or bolts, when manufactured, in whole or in part, by rolling, and on anchors, two dollars per hundred weight; iron in pigs, seventy-five cents per hundred weight; on iron castings, one dollar and fifty cents per hundred weight; on spades and shovels, twenty-five cents each; on slates and tiles for building, not exceeding twelve inches square, two dollars per thousand; over twelve inches, and not exceeding fourteen inches square, three dollars per thousand; over fourteen, and not exceeding sixteen inches square, four dollars per thousand; over sixteen, and not exceeding eighteen inches square, five dollars per thousand; over eight-

teen, and not exceeding twenty inches square, six dollars per thousand; on folio and quarto post, pot, cap, crown, demy, medium paper, twenty-cents per pound; on royal, super royal, imperial, elephant, writing, folio post and drawing paper, fifteen cents per pound; on all painting and copper plate paper, twelve and an half cents per pound; on all other course paper, not enumerated, ten cents per pound; on screws of wire, not exceeding one inch in length, eight cents per groce; over one inch, and not exceeding two inches in length, fourteen cents per groce; over two inches in length, twenty cents per groce; on ginger, rough, one cent per pound; ground, four cents per pound; preserved, ten cents per pound; on sewing silk, and silk and worsted twist, one dollar fifty cents per pound; on indigo, fifteen cents per pound; on lead in pigs or bars, one cent per pound; in sheets, two cents per pound; on shot, manufactured of lead, three cents per pound; on red and white lead, dry or ground in oil, four cents per pound; on mace, one dollar and twenty-five cents per pound; on molasses, ten cents per gallon; on nails, of iron, five cents per pound; on nutmegs, seventy-five cents per pound; on pepper, ten cents per pound; on pimento, eight cents per pound; on plums and prunes, four cents per pound; on muscatel raisins and raisins in jars and boxes, four cents per pound; on all other raisins, three cents per pound; on salt, twenty-five cents per bushel of fifty-six pounds; on ochre, dry, one cent per pound; in oil, one and a half cents per pound; on steel, one dollar and fifty cents per hundred weight; on segars, five dollars per thousand; on spirits, from grain, of first proof, forty-two cents per gallon; of second proof, forty-five cents per gallon; of third proof, forty-eight cents per gallon; of fourth proof, fifty-two cents per gallon; of fifth proof, sixty cents per gallon; above fifth proof, seventy-five cents per gallon; on spirits, from other materials than grain, of first and second proof, thirty-eight cents per gallon; of third proof, forty-two cents per gallon; of fourth proof, forty-eight cents per gallon; of fifth proof, fifty-seven cents per gallon; above fifth proof, seventy-cents per gallon; on shoes and slippers, of sk, fifty-cents per pair; on shoes and slippers of leather, fifty-cents per pair; on shoes and slippers for children, twenty-five cents per pair; on spikes, of iron, four cents per pound; on soap, four cents per pound; on brown sugar, four cents per pound; on white, clayed or powdered sugar, five cents per pound; on lump sugar, twelve and a half cents per pound; on loaf sugar, and on sugar candy, fifteen cents per pound; on snuff, fifteen cents per pound; on tallow, one cent per pound; on tea, from China, in ships or vessels of the United States, as follows, viz: hyson skin, souchong, and all other black, twenty-five cents per pound; imperial, gunpowder, and gomee, fifty cents per pound; hyson and young hyson, forty cents per pound; and other green, twenty-eight cents per pound; on teas from any other place, or in any other than ships or vessels of the United States, as follows, viz: bohea, hyson skin, souchong, and all other black, thirty-four cents per pound; imperial, gunpowder and gomee, sixty-eight cents per pound; hyson and young hyson, fifty-six cents per pound; other green, thirty-eight cents per pound; on manufactured tobacco, other than snuff and segars, ten cents per pound; on whiting, and Paris white, one cent per pound; on wine, as follows, viz: on Madeira, Burgundy, Champaign, Rhenish and Tokay, —; on Sherry and St. Lucar, —; on other wine not enumerated, when imported in bottles or cases, —; on Lisbon, Oporto, and on other wines of Portugal,

and those of Sicily, —; on Teneriffe, Fayal, and other wines of the Western Islands, —; on all other wines, when imported otherwise than in cases and bottles, —; on Russia duck, (not exceeding fifty-two archeens each piece,) two dollars; on Ravens duck, (not exceeding fifty-two archeens per piece,) one dollar and twenty-five cents; on Holland duck, (not exceeding fifty-two archeens per piece,) two dollars and fifty cents; on spermaceti oil, of foreign fishing, twenty-five cents per gallon; on whale, and other fish oil, of foreign fishing, fifteen cents per gallon; and on olive oil in casks, twenty-five cents per gallon; and on linseed oil, twenty-five cents per gallon; blue vitrol, eight cents per pound; oil of vitrol, five cents per pound; nitric acid, six cents per pound; muriatic acid, four cents per pound; sugar of lead, six cents per pound.

Sec. 2. *And be it further enacted*, That the following articles shall be free of duty; that is to say: all articles imported for the use of the United States; philosophical apparatus, instruments, books, maps, charts, statues, busts, casts, paintings, drawings, engravings, specimens of sculpture, cabinets of coins, gems, medals, and all other collections of antiquities; statuary, modelling, painting, drawing, etching, or engraving, specially imported by order and for the use of any society, incorporated for philosophical or literary purposes, or for the encouragement of the fine arts, or by order and for the use of any seminary of learning; specimens in natural history, mineralogy, botany, and anatomical preparations, models of machinery and other inventions, plants, and trees; wearing apparel, and other personal baggage, in actual use; and the implements or tools of trade of persons arriving in the United States; regulus of antimony; bark of the cork tree, unmanufactured; animals imported for breed; burr stones unwrought; gold coin, silver coin, and bullion; clay; unwrought copper, imported in any shape for the use of the mint; old copper and brass, and pewter, fit only to be re-manufactured; brass, copper, and tin, in pigs and bars; furs, undressed, of all kinds; raw hides and skins; lapis calimarnaris; plaster of Paris; rags of any kind of cloth; sulphur or brimstone; barilla; Brazil wood, brazilletto, red wood, camwood, fustic, logwood, Nicaragua, and other dye woods; wood, unmanufactured, of any kind; zinc, teutenague, or spelter; raw silk.

Sec. 3. *And be it further enacted*, That an addition of ten per centum shall be made to the several rates of duties above specified and imposed, in respect to all goods, wares, and merchandise, on the importation of which in American or foreign vessels a specific discrimination has not been herein already made, which, after the said thirtieth day of June, 1820, shall be imported in ships or vessels not of the United States: *Provided*, That this additional duty shall not apply to goods, wares and merchandise, imported in ships or vessels not of the United States, entitled, by treaty or by any act or acts of congress, to be entered in the ports of the United States, on the payment of the same duties as are paid on goods, wares and merchandise, imported in ships or vessels of the U. States.

Sec. 4. *And be it further enacted*, That there shall be allowed a drawback of the duties by this act imposed, on tin in sheets, which may be manufactured into articles for use, and on brazier's copper, manufactured into stills, boilers, pipes or tubes, by, for, or on account of the person or persons importing the same, upon the exportation thereof within the time and in the manner prescribed by the ex-

isting law, so far as the same may be applicable, and under such rules and regulations as may be prescribed by the secretary of the treasury; and also on all other goods, wares, and merchandise imported into the United States, upon the exportation thereof within the time and in the manner prescribed by the existing laws, subject to the following provisions, that is to say: that there shall not be an allowance of the drawback of duties in the case of goods imported in foreign vessels from any of the dominions, colonies, or possessions of any foreign power, to and with which the vessels of the United States are not permitted to go and trade; that there shall not be an allowance of the drawback of duties for the amount of the additional duties by this act imposed on goods imported in vessels not of the United States; that there shall not be an allowance of the drawback in case of foreign dried and pickled fish, and other salted provisions, fish, oil, or playing cards; that there shall be deducted and retained from the amount of the duties on goods exported with the benefit of drawback, (other than spirits) two and a half per centum; and that there shall be retained in the case of spirits, exported with the benefit of drawback, two cents per gallon upon the quantity of spirits, and also three per centum on the amount of duties payable on the importation thereof. But, nevertheless the provisions of this act shall not be deemed in any wise to impair any rights and privileges which have been, or may be acquired by any foreign nation, under the laws and treaties of the United States, upon the subject of exporting goods from the United States, with a benefit of the drawback of the duties payable upon the importation thereof.

Sec. 5. *And be it further enacted*, That after the 30th day of June next in all cases of entry of merchandise, for the benefit of drawback, the time of twenty days shall be allowed from the date of the entry, for giving the exportation bonds for the same. *Provided*, That the exporter shall, in every other particular, comply with the regulations and formalities heretofore established for entries of exportation for the benefit of drawback.

Sec. 6. *And be it further enacted*, That the duty on the tonnage of vessels, and the bounties, advantages and drawbacks, in the case of exporting pickled fish, of the fisheries of the United States, in the case of American vessels employed in the fisheries, and in the case of exporting sugar, refined within the United States, shall be and continue the same as the existing law provides: *Provided, always*, That this provision shall not be deemed, in any wise, to impair any rights and privileges which have been, or may be, acquired by any foreign nation under the laws and treaties of the U. States, relative to the duty of tonnage on vessels.

Sec. 7. *And be it further enacted*, That the existing laws shall extend to, and be in force for, the collection of duties imposed by this act, on goods, wares, and merchandise, imported into the United States; and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures; and for the allowance of the drawbacks, and bounties by this act authorised, as fully and effectually, as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing, in the existing laws contained, had been inserted in and re-enacted by this act. And that all acts, and parts of acts, which are contrary to this act, and no more, shall be, and the same are hereby, repealed.

Sec. 8. *And be it further enacted*, That the act

passed the third day of March, one thousand eight hundred and fifteen, entitled "an act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage, between foreign vessels and vessels of the U. States, and between goods imported into the United States in foreign vessels, and vessels of the United States," shall apply and be in full force as to the discriminating duties established by this act on the tonnage of foreign vessels, and the goods, wares, and merchandise therein imported.

Sec. 9. *And be it further enacted*, That the same duties which are by this act imposed on any manufactured articles, shall be levied and collected on articles in part manufactured; and that all goods, wares and merchandise, which shall be imported in any ship or vessel from any foreign port or place, or which, in her voyage, shall have touched at any foreign port or place, shall, to all intents and purposes, be deemed and taken to be of foreign growth, produce and manufacture.

Sec. 10. *And be it further enacted*, That no goods, wares or merchandise, manufactured in whole or in part, shall be permitted to be entered at any custom house, or landed at any port or place within the United States, unless the same shall be imported directly from the place or country where the same shall have been produced or manufactured; and it shall be the duty of the collectors to seize such goods, and the same shall be forfeited.

Sec. 11. *And be it further enacted*, That all laws, and parts of laws, now in force, which are inconsistent with, or which may be supplied by, the provisions of this act, and no more, be, and the same are, repealed, from and after the thirtieth day of June next.

Mint Establishment.

MINT OF THE U. STATES, January 1st, 1820.

Sir—I have the honor of laying before you a report of the operations of the mint during the last year.

From the statement of the treasurer, accompanying this report, it will appear that, within the above period, the coinage has been—

In gold,	51,723 pieces, amounting to	dolls. 258,515
In silver,	2,352,000 pieces, amounting to	1,140,000
In copper,	2,071,000 pieces, amounting to	26,710

Making, in the whole, 5,074,723 pieces, amounting to 1,425,225

The amount of coinage would have been considerably greater had a sufficient supply of bullion been regularly furnished; but, for four or five months, no deposits of any consequence were received. During this interval, however, the workmen were advantageously employed in completing and improving the buildings and machinery belonging to the establishment; and the mint is now, it is believed, fully competent to coin all the gold and silver which it is probable will hereafter be received, as well as to carry on the copper coinage to any desirable amount; for, even with a single press, at the rate it is now working, eighty tons (seven and a half millions of cents) may be coined in the course of a year.

I have the honor to be, with the greatest respect, your most obed't serv't,

R. PATTERSON.

James Monroe, president of the United States.

The gold coinage was entirely in half eagles—the silver, 2,208,000 of half dollars and 144,000 quarters; the copper of cents.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 8—Vol. VI.] BALTIMORE, APRIL 22, 1820. [No. 8—Vol. XVIII. WHOLE No. 450

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

IMPORTANT FROM SPAIN. By an arrival at Philadelphia from Rochelle, we have accounts from Madrid of the 8th of March. The revolution is complete—the constitution of the cortes re-established, the dungeons of the inquisition thrown open, and its victims set free; a general amnesty has also been signed.

We have a variety of papers respecting these momentous events—but the details are irregular and insufficient to afford an history of the great change. The fact is evident, that all Spain was about to rise up in arms, the troops collected to act for the king deserted by companies and regiments to the patriots,—even gen. Freyre, who was at the head of an army specially intended to oppose the “insurgents and rebels,” proclaimed the constitution. F. E. Mina assumed the command of the patriots of the north of Spain, appears to have gathered a respectable force, and, by a nervous proclamation, called the people to battle in favor of the constitution. At Saragossa, and other places, the king's name was effaced from the public buildings, &c. and the word “constitution” substituted for it. In short, the whole kingdom seemed to have but one mind, and Ferdinand, on the 6th of March, found himself obliged to proclaim the constitution, which was received every where with the strongest demonstrations of joy.

This revolution was effected without much bloodshed—none since the partial battles or skirmishes, formerly mentioned, except that of a foolish priest who had the boldness to tear down a proclamation of the constitution; he was immediately put to death.

Ferdinand remains upon the throne—we are sorry for this; he richly merited condign punishment. But he is shorn of much of his power to do wrong, and vigilance in the people and their representatives may build up a good government on the constitution of the cortes. A sketch of this constitution is inserted in the 1st vol. of the REGISTER, page 138. It is a liberal one for a monarchy, and founded upon the representative system—recognizing, however, a national religion, to the exclusion of every other! The cortes is to be composed of one deputy for every 70,000 persons; and their powers are, in some respects, greater than those possessed by the British house of commons—the councillors of the king are chosen by himself out of a list presented by the cortes, &c.

We shall hereafter give a connected account of the late transactions in Spain. The following is the acknowledgment of the constitution by the king—copied from the Gazette extraordinary of Madrid, of the 8th of March:

“Official article. It has pleased the king our sovereign to address to all the secretaries of state, the royal decree which follows:

To avoid the delay which might arise from the doubts entertained by the council in execution of my decree of yesterday for the immediate convocation of the cortes, and being the general will of the people, I have decided to swear to the constitution proclaimed by the general and extraordinary cortes in the year 1812. Do you hold it as understood, and do you make immediate publication of this. Signed by my royal hand, FERDINAND.

Palace, 7th March, 1820.

Vol. XVIII. — 11.

WAYS AND MEANS. We publish this week an important report from the committee of ways and means, on the state of the finances. Though a report recommending a loan was expected, still we are not reconciled to the act of borrowing money in a time of profound peace, and which ought also to have been a year of prosperity.

The committee believe that the ordinary revenue, assisted by the balance which may remain unexpended of the sinking fund, and a loan of two millions, will be sufficient to meet the current expenses of the year 1820. We are quite willing to believe that events will not prove that they are mistaken. Such calculations are very apt to be fallacious—it is only three years ago that the secretary of the treasury seemed at a loss to know what we should do with the surplus monies of 1820 and 1821;* he thought that it might be expedient to purchase stocks [whose times of redemption had not arrived], at rates above par—the difference between the money so used or suffered to lie idle in the treasury until the year 1825, would be a “saving to the nation of not less than four millions of dollars.” But, lo! in 1820 we are using all the surplus of the sinking fund and borrowing two millions besides; and, under the present policy and prospects, not much will be hazarded by saying that if, by the aid of the surplus of the said fund, again used in 1821, we are enabled to repay the two millions now to be borrowed, we shall do very well: even if in the next year, as well as in the last and the present, nothing extraordinary occurs to require an unusual expenditure of money. In the existing prostration of industry—the narrowed sphere of the home market and the want of a foreign demand, the people cannot, *will not*, pay taxes to the amount of nineteen millions of dollars on goods imported. The public poverty as well as the public feeling, will severely affect this great branch of the revenue. Certain retrenchments as to expenditures, may be made; but without numerous changes of opinion in those who are to make and administer the laws, the work will drag on heavily.

The committee warmly recommend economy—and a neighboring paper says that their recommendation “is worthy of the days of Jefferson.” But the circumstances of men and things are very different from what they were “in the days of Jefferson”—a much greater expenditure, we admit, is required; but where is that *moral force* which then acted and lopped off many unnecessary burthens on the people,—small, however, in number, compared with those which they now labor under, and which, because every one willing to work might then find enough to do, we could easily bear?

We have lived too fast, and the *days of paper* introduced so much of public and private extravagance, that great strength and energy is required to get us back to a solvent prosperous condition.

Appointments to office. The amendment to the constitution, proposed by Mr. Cobb, to prohibit the acceptance of an appointment from the United States by a member of congress, has been rejected in the house of representatives with a considerable

*See Weekly Register, Vol. XIII, p. 243.

majority. If I had been a member when that proposition failed, I would certainly have moved to strike out from the constitution all those parts of it which prevent public officers from holding seats in the congress of the United States—for the consistency of the thing. To be sure, the cases are not quite similar; but they may have so near a bearing that it would be a pity to separate them.

It is not my business to speak of special affairs, nor to approve or reprehend this or that, except for the principle of the matter—but confess that I felt humbled, when it was lately announced that two members of the present congress were appointed to certain small offices in the land department, and not within their own respective districts. There is a descent in these things that greatly mortifies republican pride, and a practice which may lead to the most unhappy consequences. It is useless to descant upon the subject—its nature and operation must be evident to every reflecting mind.

No objection, we apprehend, can be urged against the appointments alluded to, except that the persons appointed were members of congress. In other respects, we are willing to believe that the choice was judicious—to admit that the offices were honestly sought for and honestly given. But—"lead us not into temptation," "angels in the form of men have not descended to govern us." The history of the world and our own experience, shews us that whatever is wrong should be met at its beginning. Custom reconciles nations and individuals to numerous acts which, in their earlier days, they would not have thought it possible that they could commit. A work of reformation may sometimes be effected by a sudden impulse, and progress to its maturity; but first principles are abandoned by degrees, and precedence is brought forward to sanction deviation after deviation, until all the land marks may be lost.

NORTH CAROLINA. Some stir is making to effect a change in the constitution of this state. The members of the legislature are chosen in the same unjust manner that prevails in Delaware, Maryland and Virginia, about which we have frequently spoken; especially as to the two last, in which the rights of the people are most flagrantly violated. These four are the only states in which the British, old Sarum-like, principle of representation exists—the only instances in the United States wherein districts of country send members to the legislature, without regard to population. With the political light that shewn forth and the liberal spirit that prevailed when most of our state constitutions were formed, it is impossible to conceive how it was that provisions, so repugnant to common sense and common justice, were admitted into any of them. But thus admitted, we are almost hopeless of a change—"to feel power and forget right"—is the common practice of man; not one in ten thousand is willing to give up an advantage possessed, though conscious that he possesses it unjustly. It requires a godlike spirit seldom exhibited by grovelling mortality. Yet, what a degraded being is he who frankly confesses a thing to be wrong, and still persists in it? It seems to me that it reduces man below the level of the brute creation.

We shall select a few cases to shew the operation of the borough-system in each of the states named, as follows:

STATES.	Counties.	Free whites.	Represent.
Delaware—	New Castle	*20,000	7
	Kent	*15,000	7

Maryland, Baltimore city & co.	*85,000	6
THIRTY counties	*84,000	40
Virginia—Loudon	15,577	2
NINE counties	16,165	18
N. Carolina--Rowan	17,697	2
SEVEN counties	17,270	†14

Quantum sufficit, as to the population—the *force and wealth* have about the same proportions. We can hardly apprehend a state of things, in a free country, more repugnant to the principles of truth.

NOTES.—The counties marked thus (*) are rated at their present probable population—the rest are according to the census of 1810. The *next* census, as to the latter, will shew a much greater disparity than is here presented.

In one of the counties of Maryland there are only about 4000 free whites. In Virginia, one county, Warwick, had but 697 free whites. In North Carolina, the least populous of the seven counties selected contained 2177 free persons.

Lieut. Madison and Lafitte.

FROM THE BOSTON FALMOUTH.

U. S. schooner *Lynx*, Havana, 29th Feb. 1820.

I was much surprised to observe two letters in your paper of the 28th ult. purporting to be a correspondence between Mr. John Lafitte, chief of the forces at Galvezton, and myself.† Although I do not feel at liberty to publish any official correspondence without permission from the navy department, I think it necessary to state, that the letter dated Nov. 7th, was never received. The one dated Nov. 8th, is nearly similar to the second letter I wrote Mr. Lafitte, but it was in answer to a very different one from that of the 7th.

The following was the cause of the correspondence: Two boats, the crews of which had robbed Mr. Lyon, on the Marmetoo river, were captured on the 24th of Oct. last, in the river Sabine, by a detachment from this vessel, under the command of acting master King. All the robbers escaped in the prairie. In one of the boats was a commission signed Anable Humbert, Galvezton, 20th August, 1819. On the 5th of Nov. my boats cut a boat out of Galvezton bay, and brought off one man. He confessed that he was one of the men who robbed Mr. Lyon, and that four others of the crew were in Galvezton. On the 6th, I sounded the bar, preparatory to crossing to apprehend the remainder, but was compelled, by the wind blowing fresh on shore, to go off in the night, and on my again making the land on the 8th, I observed a gibbet erected on the point of Galvezton with a man hanging. As I could no longer suppose that the robbers were harbored by Mr. Lafitte, I sent an officer to demand the remaining three. They had been sent from Galvezton, but Mr. Lafitte sent a boat in pursuit, and as soon as taken gave them up for trial.

I would also notice, that although my friend Lieut. McIntosh was much pleased with the attention and politeness of Lafitte—there must have been some

†A writer in the Fayetteville Gazette gives to certain counties three representatives each—we find but two in the constitution, as printed in the 3rd vol. of the *REGISTER*. Perhaps it has been altered, or those that the writer alludes to includes the representatives for certain towns within the counties, which have a right to send representatives.

*The letters were copied from a paper printed at Alexandria, Louisiana.

mistake in copying his note, as he could not have called himself the friend of gen Long, whom he had never seen. Yours, &c. J. R. MADISON.

The letters above alluded to, and published with so much seeming veracity, were also inserted in the REGISTER of the 5th Feb. last, vol. XVII, page 395. We are much pleased to give the preceding correction. In doing which we have occasion to repeat the serious question—"What is truth?"

Br. W. India, & N. Am. Colonies.

A letter from the secretary of the treasury, dated Feb. 19, 1820, to the chairman of the committee of commerce of the house of representatives, gives a pretty full view of the commerce of the United States with the British West India and N. American colonies. The following totals, perhaps, may answer all ordinary enquiries.

A. Amount of duties accruing on merchandise imported into the United States from all said colonies from the 1st Oct. 1801, to the 30th Sept, 1818—17 years.

From the British West Indies	\$21,414,491
American colonies	3,689,224
	<hr/> 25,103,715

Average per annum \$1,476,689—of the 4 last years about 2,291,000

B. Amount of the value of the manufactures and produce of foreign countries exported to all said colonies during the same time—

To the British West Indies	3,647,545
American colonies	1,725,376
	<hr/> 5,372,921

Amount of the value of merchandise, the produce and manufacture of the United States, for the same time—

To the British West Indies	55,589,150
American colonies	24,055,629
	<hr/> 79,644,779

Average for 17 years \$4,674,922, for the last 4 years \$5,600,000, nearly.

C. Statement of the duties arising on merchandise imported into the United States, from the colonies aforesaid, in American and foreign vessels, from the 1st Oct. 1815, to 30th Sept. 1818.

	American vessels.	Foreign vessels.
1815—Br. West Indies	250,320	1,053,988
American colonies	431,849	954,771
	<hr/> 682,169	<hr/> 2,008,759
1816—Br. West Indies	313,218	1,814,268
American colonies	136,430	181,868
	<hr/> 448,648	<hr/> 1,996,136
1817—Br. West Indies	147,964	1,500,271
American colonies	117,898	146,371
	<hr/> 265,862	<hr/> 1,646,645
1818—Br. West Indies	233,822	1,607,001
American colonies	162,363	97,424
	<hr/> 416,185	<hr/> 1,704,425

D. and E. Designate the articles imported which produced the preceding amounts of duties, but we do not see any use for necessity for us to insert them.

Judicial System

OF THE DISTRICT OF COLUMBIA.

We have an account of the expenses of the judicial system of the district of Columbia, since the assumption of the jurisdiction by congress—say from 1801 to 1819, inclusive of both—shewing the amount of expenses incurred on account of the supreme court of the U. S. and the district court, sitting within the same. The following aggregates contain every thing that can be generally useful:

SUPREME COURT.

Compensation to the marshal	3,068 00
attorney and clerk	12,174 08
Costs taxed	1,747 03
Contingent expenses	10,865 23

Total—19 years	<hr/> \$27,854 34
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DISTRICT COURT.

Compensation to the marshal	13,098 51
attorney and clerk	20,724 71
Grand and petit jurors	51,741 82
Witnesses	19,187 10
Contingent expenses	51,872 61
Costs taxed in public prosecutions	47,945 57
Commissions	5,294 96
	<hr/> 209,865 28

Balances, &c. yet to be settled	8,711 74
	<hr/> Total—19 years

\$218,577 02

☞ The salaries of the judges not included.

Militia of the United States—1819.

From the general abstract of the returns made to the house of representatives, on the 30th March, 1820, by the president of the United States.

States and territories.	For what year rendered.	Aggregate	Remarks.
New Hampshire	1818	26,203	
Mass. & Maine	1819	7,988	
Vermont	1819	20,781	
Rhode Island	1819	8,507	
Connecticut	1819	23,340	
New York	1818	121,553	
New Jersey	1818	35,240	
Pennsylvania	1818	115,231	
Delaware		7,451	No return since 1814.
Maryland		32,180	No return since 1811.
Virginia	1819	85,976	
North Carolina	1819	49,782	
South Carolina		33,729	No return since 1815.
Georgia	1819	29,661	
Alabama	1818	10,315	
Louisiana	1818	9,894	
Arkansas ter.			No return.
Mississippi		5,291	No return since 1812.
Tennessee	1819	40,000	No return since 1812. Aggregate estimated from the rep't of the adjt. gen.
Kentucky	1817	52,883	No return has been received. The aggregate, &c. as here stated, is taken from a letter of the adjt. general.
Missouri ter.	1817	6,503	
Illinois	1818	2,031	
Indiana	1819	14,990	
Ohio	1819	76,890	
Michigan ter.	1818	1,707	
		<hr/> 822,191	

Arms, accoutrements and ammunition of the militia.

The returns of these are very imperfect and defective, and hardly afford an idea of the aggregate of am out of any one article named in the table, and from 8 or 9 states there is no return at all! So far as the returns go, they shew about 310,090 muskets and more than 1000 pieces of cannon, chiefly 3's and 6-pounders, with various appurtenances.

Lands in Ohio, Indiana and Illinois.

Statement of the quantity of land which has been sold, the quantity which remains unsold, and the amount of sales in each land district in the states of Ohio, Indiana and Illinois. Laid before the senate, March 20.

District	Land sold. acres.	Amt. sold for. dollars.	Rem. unsold acres.
Marietta	156,035	354,770	419,965
Chillicothe	1,020,630	2,196,140	1,107,850
Steubenville	1,446,618	3,097,996	484,742
Cincinnati	2,733,688	5,769,685	975,752
Zanesville	886,295	1,793,695	618,585
Vincennes	1,386,771	2,861,221	4,145,729
Jeffersonville	1,218,757	2,456,178	1,197,443
Wooster	889,514	2,001,370	354,646
Shawneetown	562,296	1,153,897	3,999,624
Kaskaskia	407,027	814,054	1,781,773
Edwardsville	394,730	795,551	1,231,230
	11,102,361	23,294,557	16,321,339

[We have varied this table a little from the official statement, and also added up the several columns that the general results may be seen at once.]

Estimate of the amount of the 2 per cent. fund, arising from the sale of public lands in the states of Ohio, Indiana and Illinois.

Ohio from 1st July 1802 to 30th Sept. 1819	\$182,712 55
Indiana—30th Nov 1816 to same date	24,089 43
Illinois—1st Jan. 1819 to same date	2,579 47

Note. This is an estimate of the funds that have arisen from the receipt of money for lands sold—not of the funds that will arise when the lands sold have been paid for.

JO:IAH MEIGS.

General land office, 8th March 1820.

Marine hospital money.

A heavy document was laid upon the table of the house of representatives, on the 28th March, 1820, in relation to the receipts and expenditures of the Marine hospital money. The following abstract probably includes every thing that can be generally interesting.

Total receipt in 1802	109,954 56
1803	54,933 21
1804	58,210 98
1805	58,005 98
1806	66,820 01
1807	61,474 47
1808	36,515 44
1809	74,192 42
1810	54,309 31
1811	54,586 34
1812	42,421 46
1813	21,789 58
1814	10,280 73
1815	28,374 74
1816	43,864 21
1817	46,605 59
1818	49,239 58
1819*	39,260 99

Total received \$910,864 60

Of which amount, \$58,975 47 was derived from seamen in the service of the United States, from Jan. 1. 1800 to Feb. 26, 1811. Greatest receipt in 1802, \$10,429 60.

* To 30th Sept.

Amount of receipts and expenditures for some of the principal ports.

	1802.		1811.		1819.	
	Rec ^{pt} .	Expend.	Rec ^{pt} .	Expend.	Rec ^{pt} .	Expend.
Portland	4,174	—	874	1,392	897	225
Salem	5,922	—	1,935	13	1,185	—
Boston	18,032	—	7,155	8,868	6,075	7,061
N. w. York	16,506	—	11,260	10,378	7,479	11,041
Philadelphia	20,786	—	5,777	7,665	3,620	15,746
Baltimore	2,887	—	1,847	8,140	2,838	22,405
Norfolk	994	—	1,906	6,311	831	6,753
Charleston	1,166	—	1,577	3,178	732	1,33
Savannah	470	—	679	2,700	472	8,604
New Orleans	—	—	892	3,099	1,850	8,240

The whole account of this fund, including 61,000 dollars specifically appropriated, shews a balance against the fund of \$40,319—that is, that the expenditures have exceeded the receipts by that amount, up to the 31st December, 1818, a part of which, however, is vested in permanent property.

Privateer Pension Fund.

By a letter from the secretary of the navy to the speaker of the house of representatives, read the 28th of March, 1820, we have the following particulars:

[ABSTRACT.]

The amount of the fund, from its commencement to the 31st Dec. 1819:

2 per cent. on the proceeds of prize vessels and goods	216,567 84
Interests on the capital invested in U. S. stocks	51,480 92
Stocks sold	12,951 30
	<hr/> 280,800 06 <hr/>

The amount of warrants issued in the same time, to pay pensioners, &c. was 83,666 00

Then follows a list of the persons disabled on board of private armed vessels, who receive pensions: the highest sum paid to any individual is \$240 per annum; the rest are at the following rates: 180, 144, 120, 108, 96, 84, 72, 60, 48, 36; the greatest number is at 72.

Next is a list of widows, whose husbands were slain or lost in private armed vessels, to whom has been granted a moiety of the highest rate of pension to which their husbands would have been entitled for the highest grade of disability.

Then is a list of widows, as aforesaid, to whom pensions for 5 years were granted, who have had their pension certificates renewed for the further term of 5 years, by the act of April 16, 1818.

RECAPITULATION.

The total number of privateer pensions, whether paid to persons disabled or to the widows of those slain or lost, is as follows:

	Persons	annual amt.
In New Hampshire	38	\$2,052
Massachusetts	94	7,716
Rhode Island	1	60
New York	61	5,640
Pennsylvania	13	1,176
Maryland	31	2,580
Dist. of Columbia	4	480
North Carolina	1	144
South Carolina	10	792
Louisiana	1	60

Amount of pensions and pensioners } 254 \$20,700

Mint of the United States.

The total amount of the value of coins made at the mint, since its establishment, up to the 31st Dec. 1819, is

\$16,992,781 06

The entire cost of the establishment, including that of buildings and machinery, salaries and wages, and the wastage on gold and silver, &c.

594,343 16

Deduct the amount gained, same time, on the copper coinage

63,037 01

Net cost of the establishment

\$531,366 15

The preceding is from a report laid before the house of representatives, on the 10th April, 1820.

Revenue of the United States.

Report of the committee of ways and means, to whom was referred so much of the president's message (at the commencement of the present session), as relates to the revenue of the United States.

April 14, 1820—read, and committed to a committee of the whole house on the state of the union.

The committee of ways and means, to whom has been referred so much of the president's message as relates to the revenue of the United States, respectfully submit the following report:

The total net receipts into the treasury, during the year 1819, were

\$4,812,419 00

The payments from the Treasury during that year, amounted to

\$4,044,868 77

Leaving a balance of income, after paying all expenses,

\$767,550 23

State of the Treasury, public revenue, and appropriations made for the service of the year 1820.

And first, the state of the treasury—

The amount of money in the treasury, on the 1st day of January, including the second instalment from the bank, of \$600,000, paid that day, was

\$2,542,293 27

From which the following deductions must be made—
1st. Special deposits of notes of banks which will not be available during the present year, but most of which, it is believed, will ultimately be paid,

\$610,367 59

2d. Amounts remaining to be paid of the Louisiana stock, which was payable in 1818 and 1819, and not yet demanded,

\$1,546,117 42

3d. Other claims on the year 1819, and not then paid, exclusive of the balance due the commissioners of the sinking fund,

\$40,133 91

Total

\$2,296,697 92

Leaving available funds in treasury, 1st. Jan. sum of

\$245,695 35

Second, the public revenue for 1820—

Customs, (as estimated at the treasury)

\$19,000,000

Public lands, same

\$2,000,000

Arrars of internal duties and direct taxes

\$4,000,000

Instalment due by the United States' bank

\$500,000

Incidental receipts,

\$80,000

Dividend from the U. S. Bank will probably be 6 per cent. certainly 4 per cent.

\$280,000

\$22,280,000 00

Aggregate amount of means available for 1820,

\$22,525,695 35

And third—amount of the several ap-

propriations made for 1820—

1st. Permanent appropriations,

For the sinking fund, 10,000,000

Gradual increase of navy 1,000,000

Arming the militia 200,000

Annuities to Indians, under treaties 149,723

Trading houses with the Indians 19,250

Civilization of Indians 10,000

\$11,378,975 00

2d. Temporary expenditures agreeably to appropriations, to wit:

For service of the navy, 2,538,940

For military establishment, 8,119,580

Civil and diplomatic 2,306,414

Public buildings 282,915

Private claims, estimated at 50,000

\$13,237,850 00

For payment of two-thirds of the Mississippi stock, to be paid by order of the com-

missioners of sinking fund, on 15th May next, 1,230,269 30

Arranges for the navy department, agreeably to the act passed D. c.

last, amount drawn subsequent to 1st Jan. 443,038 00

1,682,309 30

Total amt. expenditures authorized by law for 1-20, 26,390,164 30

Leaving a deficiency of means for the year 1820, of 3,773,468 95

And of the sinking fund for the year 1820:

Annual appropriation 10,000,000 00

Payable by the treasury thereout:

Residue of Louisiana stock redeemable this year, 2,316,462 77

Six per cent stock 80,000 00

Reimbursement of the deferred stock 803,106 94

Intst of the funded debt, payable this year 4,911,843 00

7,711,502 71

Leaving a balance, which may be applied to satisfy part of the deficit, of 2,288,497 20

Leaving an actual deficit of funds to meet the expenditures authorized by law, for 1820, of 1,485,001 66

The committee further submit an estimate of the receipts and expenditures for the year 1821, founded on information received from the several departments.

1st, RECEIPTS.

Customs \$16,000,000 00

Land 3,000,000 00

Arrars of direct tax and internal duties 250,000 00

Incidental receipts 80,000 00

Dividends from the U. S. bank 5 percent. 480,000 00

19,730,000

2d, EXPENDITURES.

Permanent, to wit:

Reimbursement of deferred stock 534,033 08

Interest on the funded debt 4,773,737 68

Gradual increase of the navy 1,000,000 00

Arming the militia 200,000 00

Annuity to Indians 149,725 00

Trading houses with Indians 19,250 00

Civilization of Indians 10,000 00

6,686,748 76

Temporary, agreeably to the amount of the several appropriation bills for 1821, 13,337,880 00

To which must be added the amount of unexpended balances in the hands of the treasurer, and which was applied to the expenditure of the year 1820

389,154 00

\$9,382,779 76

From which appropriations for 1820, there may be deducted the following items, which will not be required for 1821, and parts of items, which are either unnecessary, or may, without injury to the public service, be spared, to wit:

For completing several arsenals 60,580

Arranges prior to 1818, for military academy 21,428

Arranges 200,000

Half-pay pensions to widows and orphans (part) 75,000

Revolutionary pensions 650,000

Balances due certain states 250,000

Taking the census 240,000

Camberland road 141,000

Holding of Indian treaties 70,000

Claims of the inhabitants of the late province of West Florida 24,231

Payments for outstanding debentures for internal duties 20,000

Balance due M. Poirey and M. de Vienne 4,491

Fortifications 100,000

1,856,790

Deduct therefrom for expenditures that may be required for the service of the year 1821, and which cannot be foreseen

256,750

Leaving an amount charged in the year 1820, and which, it is believed, will not be required for the year 1821,

1,600,000 00

Estimate of expenditure for year 1821 18,582,779 76

Estimated excess of receipts over the expenditures of the year 1821,

1, 37,220 24

19,720,000 00

The committee also submit, that no part of the principal of the funded debt becomes payable until the year 1824, except the annual reimbursement of the deferred stock; and they present the following view of the sums annually reimbursable on the public funded debt, for the years 1824, 1825, 1827, and 1828, to wit—

Year 1824, six per cent. stock per set of	
14th March, 1813	6,187,066 84
do. do. 6th July, 1812	2,668,974 99
do. Treasury notes, funded per set of 24th February, 1816	1,419,125 61
	10,375,07 44
Seven per cent. do. do.	8,598,298 37
	18,973,405 71
1820, Six per cent. stock, per set of	
8th February, 1813	15,821,136 49
do. 2d August, 1813	6,836,332 39
	22,657,468 84
1827, six per cent. stock, per set of 24th March, 1814	13,011,437 63
1828, do. do. 3d March, 1815,	9,490,099 10

The committee further state, that, from the 1st January, 1801, to the 1st January, 1808, inclusive, there was redeemed of the principal of the public debt, the sum of

32,287,841 10

And between the 1st January, 1817, and the 1st January, 1820, the sum of

32,088,750 17

An act passed on the 3d March, 1817, "to provide for the redemption of the public debt." That act vests in the commissioners of the sinking fund the sum of ten millions of dollars, to be applied yearly by them to the payment of the interest and charges, and to the reimbursement or purchase of the public debt; and provides, that the said annual appropriation shall be paid from the proceeds of the duties on merchandise, the tonnage of vessels, internal duties, and sales of western lands; although that act is not considered as a pledge of those funds, yet, it is understood at the treasury, that the appropriation for the sinking fund has a preference over every other, and must, (if required by the commissioners,) be first paid. The documents before the house shew that there is no part of the principal of the public debt payable during the years 1821, 1822, 1823, 1824, except the reimbursement of the deferred stock.

The sinking fund can operate, of course, during those years only in manner following, (unless the U. S. stock should be purchased at par,) to wit:

1821, Interest and reimbursement payable this year	\$5,307,770 76
1822, " "	5,307,770 76
1823, " "	5,307,770 76
1824, " "	5,023,126 24
And for the present year of 1820, as already stated,	7,711,502 71

Total of actual demand on the fund, \$28,657,941 23
Leaving the sum of \$21,342,058 77, for those years which cannot be applied to the payment of the principal of the debt in any other way than by purchase. No purchase can be made, agreeably to the act, unless the same can be effected at or under par. The present market value of the United States six per cent stock is known to be three and a half to four and a half per cent above par, and it is believed, will continue above par during the years 1821, and 1822, and perhaps longer. Under those circumstances, it is submitted, whether it is not more for the interest of the United States to authorise the treasury to transfer to the surplus fund the balance of the sinking fund, which may remain unexpended on the 31st December, 1820, than that the same should remain in the treasury unemployed.

The unexpended balances of the sinking fund are transferable (under the existing laws) to the surplus fund, two years after the calendar year for which the appropriations have been made, in like manner as all unexpended balances for other objects of expenditure are transferable.

The preceding statement shews, that the expenditures authorised by law, for the year 1820, will exceed the receipts into the treasury, of that year, by the sum of 3,773,498 95 dollars; that sum may be reduced to 1,483,001 66 dollars, by the application of the balance of 2,288,497 29 dollars, which will, agreeably to the preceding view, remain unexpended of the sinking fund on the 1st January, 1821. In recommending the application of the surplus of the sinking fund to the current expenses of the present year, your committee deprecate a recurrence to a like resort in future years, if the same can, with any propriety, be avoided; and it is hoped that such retrenchments will be made in the public expenditures, as may render a recurrence to that fund unnecessary.

A resort to treasury notes, to meet the deficit appeared to your committee inexpedient. Such notes could not, in their opinion, become a medium, unless the banks should be authorised to tender them in payment for any demands made on those institutions: without such authority, treasury notes would be sold and bought in the market, for the purpose of paying the public dues; and, when paid into the bank, could be considered by the bank only as a special deposit of the treasury, on which it would not be bound to pay either its own notes or specie.

It appearing to your committee inexpedient to resort to treasury notes, and it being impracticable, (if no objections existed against the adoption of such a course,) to carry into effect a system of internal duties, in time to meet the deficit of the present year, your committee had only to choose between a loan of a temporary character, or one of longer duration. They have preferred the latter; because it carries the time beyond that in which other debts are payable; and, because it is believed that the loan will thereby be obtained on decidedly better terms, than on one of a shorter duration. By authorising the subscription of the Mississippi stock, of which two-thirds must otherwise be redeemed during the current year, it is inferred, that little new debt will be created. Conformably with those views, the committee respectfully submit a bill to authorise a loan of 2,000,000 dollars.

The committee have deemed it useful to present a view of the probable receipts for the year 1821, and of the expenditures, which, under the existing laws, are indispensably chargeable thereon. They have founded their statement of expenses on the appropriations actually made for 1820; and have shown, that therefrom a variety of items, amounting to 1,856,790, (which will not be required for 1821,) may be deducted: at the same time, they are ready to admit, that new and unforeseen demands may arise, which may show that too much reliance ought not to be placed upon an expectation of an expenditure less than that of the current year. The view for 1821 is founded on the indispensable expenses, and does not include the amount of principal, which the commissioners of the sinking fund are bound to purchase, if the same can be bought at or under par. Taking that view, the estimates of receipts and expenditures will be shewn by the following statement, to wit:

Permanent expenditures	\$11,378,975
Temporary	13,596,034
	\$24,975,009
From which deduct items not required, (as specified,) for 1821	1,600,000
	\$23,375,009

Estimated amount of receipts for } 19,720,000
1821, (per statement)

Leaving a deficit, in 1821, of } 3,655,009

Your committee, having assigned the reasons which have led them to recommend the bill herewith reported, beg leave respectfully to present their views of the necessity which exists, for retrenchments and economy in the public expenditures. They approach this subject with feelings which the house can duly appreciate. A government, like individuals, will generally increase its expenditure in proportion to its increase of means. The revenue, (after the peace,) had swollen to an amount surpassing all former experience; and, passing from a state of war, during which expensive establishments were indispensably necessary, it was not to have been expected, that we could have immediately made such reductions, as a state of profound peace would render prudent and proper. The war pointed our attention to the weak points of the nation; and the appropriations of former years have been increased by objects of great national importance, which have added to our security, and by an act of benevolence towards the survivors of the army of the revolution.

Large outstanding claims, resulting from the war, to an amount exceeding thirty millions of dollars, have been discharged; and the sum of \$32,085,750 of the public debt, has been redeemed since the 1st day of January, 1817. Establishments have been created under the sanction of law, which, to maintain and advance, will make it necessary, either to resort to annual and successive loans, or to a system of internal revenue. As to the first of those alternatives, it cannot be necessary to urge any observations: their natural tendency to involve the nation in debt is obvious; and they will be avoided, when they are not indispensably necessary. We are warned against the effects of a large and accumulating debt, by the experience of other nations. A nation, laboring under the pressure of a large debt, no more than an individual, can be considered independent. Money is power; and that nation will become powerless, who shall mortgage its resources, without the prospect of relieving them by discharging its engagements.

Reasons, powerful and cogent, exist against a resort to internal duties and direct taxes, to supply a deficiency occurring during a state of profound tranquility, and ought to be avoided if the necessity be not evident and pressing, and such has heretofore been the policy of the nation. We have been accustomed to a system of taxation, which, in its operation, has been paid without being perceptibly felt, and will reluctantly resort to one of a different character in times of profound peace.

From the extraordinary depression of commerce, within the last three years, the stagnation of our navigation, the depreciation in the value of our exports, the corresponding depreciation in the value of property of every description, and the serious embarrassments under which every branch of industry now labors, economy and retrenchment in expenditures of every citizen are imperiously required. The finances of the nation being seriously affected by those causes, there would seem to arise a corresponding obligation on the government to retrench its expenditures and economise its means. In the infancy of our institutions, our expenses were, in the general, limited by our receipts. We have been satisfied to advance gradually in furthering the system of national security and independence. Our pace has been greatly quickened towards the

accomplishment of those objects since the restoration of peace, by the great accession of our revenue. From that period our revenue has been in what may be considered a forced state. We are now getting back to a condition more congenial with our population and national wealth.

The committee believe that wisdom requires us to recur, also, to the policy which has heretofore governed us. Our nation is still in its infancy: its resources are daily increasing. If then we should keep pace in the building up of our national establishments with the revenue of the country, we shall have consummated all our wishes without oppression to the citizen.

Therefore, resolved, That the president of the United States be requested to cause such a plan to be prepared, as will enable congress, at its next session, to make such reductions in the various branches of public expenditure, as may be required by the state of the finances and the public good.

Trade with the Indians.

OFFICIAL REPORT.

Office of Indian trade, January 7th, 1820.

To the hon. Henry Southard,

Chairman of the committee on Indian affairs.

SIR: I have had the honor to receive your letter, of the 4th inst. in which I am "requested to communicate to the committee on Indian affairs such information as may be in my possession relative to the present state of our trade with the Indian tribes, and such other information as I may deem proper to lay before you."

So far as this call may have relation to the present state of the funds, I have the honor to state that, up to the 30th September last, the latest period at which an estimate from the quarterly returns can be made, it was worth \$308,855 45. The several appropriations for carrying on trade and intercourse with the Indian tribes, amount to \$300,000; of which no more than \$290,000 have been drawn from the treasury. From this 290,000 dollars it is proper to deduct 10,000 dollars on account of debts contracted by the Indians, in their intercourse with the factory then at fort Wilkinson, and which sum was secured to the United States by the treaty of Fort Wilkinson, but has not been paid over to this office; also \$43,369 61, for property destroyed during the late war. The actual amount of the capital being, therefore, no more than \$236,630 39, the gain appears to be the difference between this amount and \$308,855 45, which is \$72,225 06.

The law governing this trade contemplates no more than a preservation of the capital. It is, however, impossible to preserve it exactly at that point at all times, because, if that were attempted, the fluctuations to which the markets are liable, in the sales made of the articles taken in barter with the Indians, and the damage to which these are liable, as well from the extent of country over which they are transported, as from worms, would put the capital in hazard. In guarding against these contingencies, the stock is worth one year more, and another less, according as the markets vary, or the seasons are favorable or otherwise to the preservation of furs and peltries. Every arrangement, however, of which the system is susceptible, is entered into, with a view to present to the Indians, for whose benefit this trade has been established, all the advantages which it was intended they should derive from it. But many of the advantages, as well those having relation to the Indians, as those which relate to the government and to our civilized border

population, are totally lost in the almost universal spread of avarice over the whole Indian domain.—Individuals, in great numbers, availing themselves of the looseness of the law which authorises the issue of licenses to trade with the Indians, and which law containing no provision for what might be deemed the essential requisite of moral character, have complied with its too easy stipulations, and entered the Indian country at all points. The Indians, lured by the arts of these traders, and overcome by whiskey, which constitutes the leading article of the trader's traffic, fall an easy sacrifice to their unfortunate propensity, and lose, in the delirium of their excitement, their temper, and even the small portion of morals which it will be admitted may be inherited even by a savage. In this state of excited bewilderment, what wonder if the first white man who appears is made to atone with his life for such conduct? It is not unusual for these adventurous traders to divide tribes into clans, heading each by a chief of their own creation, who, with his followers, is stimulated to take sides, not only in favor of the trader who confers such honor, but against members of their own tribe and family, if these shall happen to be enrolled under the authority of an opposing trader. Blood naturally follows in the track of these men, and the peace and the lives of the Indians are thus sported with. At the season when the hunts are over, and the weary and weather-beaten Indians are journeying to their homes, they find themselves intercepted by these traders, who seldom fail, by the agency of whiskey, to secure, for the inestimable trifle, what had cost so much labor to procure, and which was intended to provide, against the rigors of the year, the essential articles of blankets, strouding, &c. &c. It is no difficult matter to conceive the state of wretchedness in which these unfortunate Indians are plunged, under such circumstances. Only one season has elapsed since treaties were concluded between the United States and the Wyandots and others, an article in each of which provides for the payment of their several annuities in specie; and at this time the agent for those Indians is at the seat of government, charged with their wishes to have this condition stricken out, and the old method of payment in merchandise substituted. The reason assigned for it is that the annuity grounds were surrounded by pack-horse traders, who, as soon as the specie arrived, became owners of it, leaving the miserable Indians, who had been put up to require such a provision, possessed of a few flimsy articles, of the most useless character, to mourn over a state of unusual bereavement and suffering. The ordinary supplies which they had been led to believe would be procured in greater abundance by the specie, have never appeared, and the only alternative left them is to pray that goods may be sent them in future, and not specie.

Under such circumstances of harassment, it is easy to perceive how uncertain must be our political relations with these people, and how difficult it is to conduct a regular trade with them. In fact, so overpowering have these traders become, both as to conduct and numbers, as to have almost blocked up the avenues to two of our factories, and have thus rendered them almost useless, as well to the government as to the Indians. I refer to those at Green Bay and Chicago, points at which it is of so much importance to hold the most perfect control over the Indians which it is possible for the government to exercise. Nor do these traders acquire this influence over the Indians because they supply them with articles at cheaper rates. It were

unreasonable, even if facts did not authorize a different conclusion, to suppose so. Their policy is to make all the gain they can; and the policy of the government (and I believe it to be faithfully sustained) is to require only so much advance on the cost as to secure the capital from diminution. But evidences are at hand that demonstrate the exorbitant demands which these traders make, an example of which is furnished in an attested statement, that, in the neighborhood of those very places, (Green Bay and Chicago,) one dollar and fifty cents have been demanded and received by them, in furs, for one brass thimble; and fifteen dollars for a pound of tobacco!

Some of the causes which give the traders such influence over the Indians, may be found in the free use which they make of whiskey, (an article which is excluded from the government policy.) In the rules which are ordained for the government of the United States' factor, and which locate him, and otherwise put it out of his power, very properly, to enter the lists with these people, from which they are free: and in the flattering methods resorted to by the traders, of making partisans and chiefs out of whomsoever promises to succeed best in mustering numbers and catching beaver.

I am aware that the rights of citizens are pleaded, and that it is held by some to be subversive of those rights to deny the privilege of engaging in this trade, to such as may choose to prosecute it. However true this may be in the abstract, there appears to me to be no reason which can justify it in its application to a trade with our Indians. For, what good reason can be assigned to justify the government in extending pecuniary privileges to one set of people, if by so doing are involved the well-being and even the lives of another? But not only are the Indians excited, and bereaved, and made miserable; not only are riots and murders caused amongst them, but how often does it happen that interruptions are made by them, in their state of distraction, and under the impulses of revenge, into our settlements, where, giving loose to their passions, and indulging in their visions of ideal glory, they butcher, indiscriminately, without reference to age or sex, and carry with them into the wilderness the scalps of our innocent and unoffending inhabitants? And how often, in order to avenge these acts, have armies been levied to reduce these exasperated people to submission, at an expense to the country more than adequate to civilize and preserve them all? But in all this, bad as it is, and much as it is to be deprecated, have the Indians done more than, in the paroxysm of their hopeless and bereaved condition, occasioned by those too who have been licensed to go amongst them; it was reasonable to expect at their hands? Does it not appear to be more in harmony with the rights of the citizens, to deny the privilege to trade to those who, in the exercise of it, involve so many thousand Indians in such deep distress, and jeopardize at the same time the lives of both Indians and white people? I am sanctioned by my own observation; as I believe I am by the general sentiment of those who have taken the pains to look into the causes of our Indian wars, in attributing at least three-fourths of them to the excitement occasioned by the conflicting interests of private traders. It is, in my judgment, of the greatest importance that some regulations other than those which now exist, be enacted for the better government of this branch of our policy. I do think if the object of the government be to civilize and preserve our aborigines, (and I am convinced it is,) that all such pernicious intercourse as I have referred

red to, should be made to cease. Or, if, in the wisdom of congress, the propriety of such policy be doubted, the next remedy which presents itself to my mind, the only remaining one, is to abrogate the existing license law, annul all the licenses that have been issued under it, and make it obligatory on each trader who may apply for the privilege of entering the Indian country, in his capacity as such, to build his factory and locate himself. Some responsibility for his good conduct and conformity with the laws for the government of the trade would exist, for he would then have something like a home, and his stock at the factory, and his improvements there, when added to his bond, might be supposed to furnish some settled and tangible security, of which, under the present regulations, scarcely a vestige is believed to exist. 'Tis true, he bonds, and with sureties, under the present law; and these are the conditions on which any man, no matter who he is, nor how indifferent he may be to the welfare of the Indians, nor how hostile to the government and interests of the United States, may pass into the Indian country as a trader, leaving his obligations at Detroit or Michilimackinac, and himself roaming in the wilds of the Missouri. What chance is there of enforcing the provisions of a violated law, under such circumstances? The best evidence, however, of its inefficiency, may be found in the fact, that no forfeitures have ever been enforced from the beginning, at least I know of none. Now, either these traders must be very tenacious in conforming to the laws, or the laws are not adapted to a detection of their malconduct. The relation in which a trader would stand, even to the existing law, would be different, did it not compel him to prosecute his trade at a fixed point. But whatever regulations may be entered into for the government of private intercourse with the Indians, should embrace, *under the severest penalties of forfeiture*, a provision against the vending of whiskey or spirituous liquor of any kind. And that no conflicts might arise betwixt opposing traders, from a contiguity of location, the places for trade should be approved by the president of the United States, and all licenses should issue from him, or from such person as he might be pleased to entrust with the execution of this regulation.

I have been thus particular on this branch of the subject, because I believe in the practicability of civilizing our Indians: and because I believe that this great work will continue to drag along, and be but partially successful, and in the exact proportion as the Indians may remain exposed to the seductive influence of this unrestrained and avaricious wilderness traffic. It has been, and it will always remain so, unless measures are adopted to remedy it, that the plans of aboriginal reform, as well those which have been entered into by the government, as by generous individuals, will be frustrated by these people. And the reason is obvious. It does not accord with their interests for the Indians to be drawn off from the chase; and in proportion as habits of civilization are acquired, must be diminished the advantages of an intercourse with them,

So much for the "present state of our trade with the Indian tribes," as it stands related to the trade prosecuted by individuals.

The regulations for the future government of private intercourse, (if it be admitted at all,) I conceive to be important, as, without some change, the state of excitement in which the Indians are so constantly kept, cannot be sufficiently composed to insure either security to our borders, amelioration of the general wretchedness of their condition, or the

progress of the great work of their civilization. But a proper control being had over the individuals who go amongst the Indians as traders, the road may then be considered as furnishing no other obstacles to the complete renovation of their condition. Theory, on this subject, has given place to facts; and, if no other evidence in the practicability of accomplishing this noble work were to be had, the present state of the Indian schools called Brainerd, on the Chicamagah, in the Cherokee country, would demonstrate it.

I would respectfully suggest, that, in no period of the history of our country, have means been adopted, whether by the government or by individuals, which promised to complete so speedily the important work of aboriginal reform; and now, that prospects are so flattering, it would be cause of deep and lasting regret if, from defectiveness in any part of the great system which promises to work out a result so interesting, these generous efforts should, at last, for that reason, be compelled to yield to opposing influences, and mingle with the ruin of preceding ones.

I would suggest, therefore, that the original intention of the congress, in relation to the trade fund, be carried into effect; and that an appropriation of sixty-three thousand three hundred and seventy dollars be made, which will make a capital, from the treasury, of three hundred thousand dollars.

This will authorise an extension of the trade to three other points within our military posts, at which it would be beneficial to the Indian to have factories located, and through which those political influences, which a well regulated commercial intercourse is so well calculated to produce, and which the present system of trade, on the part of the United States, was, in part, intended to supply, might be sustained. This being done, I would respectfully suggest that the existing law be so modified as to authorise an advance, over and above that which is resorted to for the maintenance of the capital, of ten per cent. on all articles sold, and that the gain thus secured constitute a fund to be applied to the organization and endowment of schools for the benefit of those tribes by whose intercourse, with each factory respectively, these gains might be realized. It is not unreasonable to suppose that such a regulation would produce in the Indians an additional inducement to overcome any temptations which artifice might place in their way, to hold their intercourse with the government establishments, and especially so as they are not, even in their savage state, insensible to the kindness of those regulations which affect the welfare of their offspring.

This branch of the system being fully organized, and put into complete operation, the way would be then made easy for a judicious and suitable application of those additional means which, after all, must be resorted to for the completion of Indian civilization. I refer to the gradual withdrawing of the Indians from the chase, and the enlisting their regards in favor of agriculture and the domestic arts—the introduction amongst them of plain laws, just in their nature, and easy of comprehension; the execution of which might be trusted to plain, but honest men, assisted by the most intelligent, influential, and moral Indians. Out of this would naturally arise the idea of separate property, and fixed habitations and villages, which ought never to be lost sight of by those to whom are, or may be, entrusted the destiny of this people.

It has not been owing to any physical or moral

defect in our Indians, that they have been so long under the influence of their savage propensities, but rather to the too partial and limited, and, by consequence, inefficient measures, which have been hitherto resorted to. If the government, upon the one hand, have organized a humane system of intercourse with them, for the supply of their wants, and to quiet, by the unity of the design and the harmony of its operations, all the agitations and strife which conflicting interests give rise to, it has countenanced, upon the other, the admission of individuals amongst them whose strifes have disturbed the composure which even this branch of policy would have, to a great extent, insured. If schools have occasionally been opened in their country, or by any other agencies attempts have been made to reform them, the turbulence of avarice has overcome these peaceful designs also. And if a few Indian youths have been brought in and educated at our colleges, their intelligence; it is admitted, soon distinguished them as scholars; but, when returned, mingling with the mass of savagism that remained at home, and which they found as they left it, nearly all the restraints which civilization had imposed were cut loose, and they soon ceased to be distinguished from their parents and friends. But is there anything wonderful in all this? Certainly nothing calculated to lead to the conclusion, that Indians are necessarily savages; for the same reasoning would involve in the same necessity those who have been styled the most refined people on the globe—I mean the French; for a native of Paris has been found in our wilderness (and, on the authority of one of his countrymen, whose literary labors have acquired for him no ordinary share of renown) so completely assimilated to the manners of the natives as to be with difficulty distinguished, and with attachments to that state so strong as to refuse the offer to return to his native city.

But we have numerous examples of the same kind, which apply to our own people, and which, if the doctrine referred to be admitted to be sound, involves us likewise in the same necessity. The true state of the case is, there has been organized no system, from the beginning, commensurate to this great work. Now, it is true, light, breaking through the prejudices of the people, is beginning to make plain this important subject. It is gratifying to know that the great body of the American people have their feelings enlisted on the side of our aborigines, and that associated bodies of distinguished citizens, in different sections of our country, are now engaged in carrying in amongst this hitherto almost forgotten, and certainly, to a great extent, unprotected people, the arts and conveniences of cultivated life, and along with these, by means of schools and the labors of enlightened, and generous, and pious agents, those nobler instructions also which teach them to manage the concerns of this life with a wise reference to futurity; and thus the clouds and darkness which rest upon that state, penetrated by the only light of which they are susceptible, will cease to administer dread, and to appal and confound them.

To these agents may be well and safely entrusted the task of influencing the Indians by the arrangement and application of the higher elements, the operation of which is implied in this great change. And I take pleasure in assuring the committee that the acquaintance which I have with the plans of those benevolent men, warrants me in saying that they embrace those objects.

All hopes of reform centre, as such hopes must always, in the rising generation. The adult Indian,

with his habits so fastened upon him as to admit of no expectation that he will disengage himself from them, must be left to pass off, adhering to his forest propensities. But not so with the younglings of the forest. They are no more refractory than are the children of civilized parents, and can therefore be trained to a different destiny. The term of one generation will be sufficient, under suitable regulations, to change the complexion of the desert. But no hopes need be entertained if the system is not made perfect in all its parts.

The remarks I have made I beg leave to add, are intended to apply to the Indians within our military posts. It would be an act of supererogation in me to propose any plan of a political sort, by which the Indians without those posts might have secured to them the benefits of commercial advantages, upon the one hand, which should exclude a pernicious foreign influence on the other. An abler view of this subject than I have the ability to present has already been offered to the congress. But the time will arrive when it will be in the power of the government (and whenever it shall be so, justice and humanity will demand its exercise) to reach out to those so remote tribes also the mantle of civilization, which it is gratifying to perceive it has begun to spread over those who happen to be nearer home. Till then, and as an incipient measure, it would certainly indicate a wise forecast were an American intercourse, properly systematized, opened with those remote Indians, which should tend to weaken, and finally overcome existing influences, which, if they be permitted to operate, may one day prove a source of much evil to our country.

I have the honor, sir, to be, with great respect, your obedient servant,

THO. L. M'KENNEY, S. I. T.

CONGRESS.

IN THE SENATE.

April 14. The senate, on motion of Mr. Dickerson, then proceeded to the consideration of the bill to provide for clothing the army of the United States in domestic manufactures; which bill is as follows:

Be it enacted, &c. That, from and after the passing of this act, the secretary of war be, and he is, hereby, authorized and required to cause the army of the United States to be clothed in articles of domestic manufacture, so far as the same can be procured in the United States.

The bill having been read, Mr. Williams, of Tennessee, for reasons which he submitted at large, moved to postpone it indefinitely.

Debate followed—the bill was supported by Messrs. Dickerson, Burrill, Trimble, Morrill, King, of N. Y. and Ruggles, and opposed by Messrs. Williams, of Ten. Smith and Macon, until half past 3 o'clock—when the question was taken on Mr. Williams's motion, and decided as follows:

YEAS—Messrs. Barbour, Brown, Elliott, Gaillard, Johnson, of Louisiana, King, of Alabama, Leake, Lloyd, Macon, Noble, Pleasants, Smith, Taylor, Walker, of Alabama, Walker, of Georgia, Williams, of Mississippi, Williams, of Tennessee—17.

NAYS—Messrs. Burrill, Dana, Dickerson, Eaton, Edwards, Horsey, Hunter, Johnson of Kentucky, King, of New York, Lanman, Logan, Lowrie, Morrill, Otis, Palmer, Parrot, Roberts, Ruggles, Sanford, Thomas, Tichenor, Trimble, Van Dyke, Wilson—24.

Mr. Van Dyke, to remove some of the objections which had been urged against the bill, and make it

more generally acceptable, moved to divest it in part of its imperative character, by modifying the bill to read, "so far as the same can be procured at as reasonable prices as similar articles of foreign manufacture."

This amendment was opposed by Mr. Trimble, and Mr. Dickerson; but, before the question was taken,

The senate adjourned.

April 15. After some time spent on the bill for the relief of sick and disabled seamen, it was postponed until Monday.

The senate took up the bill to authorise the legal representatives of Elisha Winter and William Winter to institute a bill in equity in the nature of a petition of a right against the U. States.

This is a claim of great magnitude, and has been before congress for many successive years. It is for no less than one million of acres of land in Arkansas, the title to which is derived under a Spanish grant. The legality of the title, to the extent claimed, turns on the construction of one or two words of the grant, which rendered into English, are "one thousand arpens of land square," upon which a question arises, whether the grant intended to convey a thousand square acres, or, as the claimants allege, a thousand acres square—which of course is the difference between one thousand and one million of acres.

Mr. Roberts made some objections to the bill—it claimed a territory almost equal to an empire. Mr. Hunter replied at considerable length—it appeared to the committee that the claim was a just one. Mr. Brown made some remarks on the practice of the Spanish government to shew that the claim rested on reasonable grounds. Finally, the bill was postponed until Monday.

Several bills passed through different stages.

The senate then resumed, in committee of the whole, Mr. Walker, of Alabama, in the chair, the bill to provide for clothing the army in domestic manufactures—Mr. Van Dyke's motion to amend the bill being under consideration.

To give place to an amendment which had been prepared by Mr. Barbour, which he was willing should supersede his own, Mr. Van Dyke withdrew his amendment.

Mr. Barbour then proposed to amend the bill, by adding "on such terms and at such prices as will not be injurious to the public interest;" thus leaving an option with the secretary of war, and depriving the bill of its imperative character.

Mr. Barbour wished to deprive the bill of its imperative character. Messrs. Johnson, of Ky. and Mr. Ruggles preferred the bill as it was. Mr. Lloyd regretted that Mr. Van Dyke had withdrawn his amendment, but thought the bill inexpedient. Mr. Trimble supported the bill in its original shape—but moved to postpone it to Monday. He was opposed by Mr. Lowrie, who wished it to pass promptly. The motion to postpone was lost—11 in favor of it. Mr. Barbour withdrew his amendment.

After other proceedings,

Mr. Williams, of Tennessee, then moved to amend the bill, by adding thereto the following:

"Provided, That no contract for, or purchase of, domestic goods for clothing the army, shall be made, at more than ten per cent. above the price of articles of the same kind and quality, imported from a foreign country."

Mr. Williams wished the extent of encouragement specified and moved a new section to the bill as follows—

"Be it further enacted, That the sum of ——— dollars be, and the same is hereby appropriated, for clothing the army of the United States, in addition to the appropriations heretofore made.

Mr. Dickerson disclaimed the idea of exorbitant protection. At length, Mr. Wilson moved to add to the bill the following proviso: "Provided the same can be procured at the same prices as goods of the same kind and quality of foreign manufacture."

Mr. Lowrie moved to add to the proviso the words, "having due regard to the expense of transportation;" which Mr. Wilson accepted as a part of his amendment.

This amendment was accepted—39 to 3. When—On motion of Mr. Dickerson, the following section was added to the bill:

Sec. 2. And be it further enacted, That it shall be the duty of the commissary general of purchases to transmit, annually, to the secretary of war, with his returns of contracts for supplies of clothing the army of the United States, copies of all the proposals made to him for furnishing such supplies.

The bill as amended, was then reported to the senate.

After debate, the amendments were all concurred in, and the bill ordered to be engrossed for a third reading. At half past 3 o'clock the senate went into the consideration of executive business; after which they adjourned.

April 17. The bill further to provide for sick and disabled seamen, was, after discussion and some proposed amendments, again postponed.

Mr. Barbour laid on the table a proposition so to amend the rules of the senate as, substantially, to give a priority to bills from the other house.

The engrossed bill to provide for clothing the army in domestic manufactures, was read the third time, passed, and sent to the house of representatives for concurrence.

The senate took up the bill to grant to Ohio a pre-exemption right to a section of land in each county in the district called the New Purchase, in that state, for county buildings, &c. with the amendment reported to the bill by the land committee, which proposed to grant only a quarter section in each county for the purpose above mentioned.

After considerable debate, and the failure of a motion to postpone the bill indefinitely, it was postponed until to-morrow.

Several private bills were ordered to a third reading.

The resolution from the other house, authorising the publication of a part of the secret journal of the congress, under the old confederation, was also considered, and ordered to a third reading; and

The senate adjourned.

April 18. The bill granting to the state of Ohio a certain pre-exemption right, was ordered to be engrossed for a third reading—ayes 19, noes 13.

The bill authorising the heirs of Elisha and William Winter to institute a suit in equity, in the nature of a petition of right, against the U. States, was then taken up in committee of the whole, Mr. Horsey in the chair.

Considerable debate followed—at last, the bill being reported to the senate, it was ordered to be engrossed and read a third time, by the following vote.

YEAS—Messrs. Brown, Burrill, Dana, Eaton, Edwards, Horsey, Hunter, Johnson, of Louisiana, Leake, Lowrie, Mellen, Noble, Otis, Parrot, Pleasants, Ruggles, Taylor, Thomas, Trimble, Williams,

of Mississippi, Williams of Tennessee, Wilson--22.
NAYS—Messrs. Barbour, Dickerson, Elliott, Gail-Jard, King, of Alabama, King of New York, Lanman, Logan, Macon, Morrill, Palmer, Roberts, Sanford, Smith, Stokes, Tichenor, Van Dyke, Walker of Alabama, Walker, Georgia--19.

The other business transacted this day will appear in course.

HOUSE OF REPRESENTATIVES.

Friday, April 14. Mr. *Wendover* presented a petition of sundry citizens of New-York in favor of the duty of 10 per cent. on all sales at auction, except sheriff's sales.

Mr. *Smith*, of Md. from the committee of ways and means, made a detailed report, accompanied by a bill, authorising the president of the United States to borrow two millions of dollars, and for other purposes; which was twice read and committed.

The speaker laid before the house a report of contracts from the commissary-general of purchases for supplying the army with provisions, &c. rendered in pursuance of a resolution of the house.

The speaker also laid before the house a letter from the post-master general, transmitting a list of unproductive post routes.

Mr. *Robertson* laid before the house the articles of compact between the states of Kentucky and Tennessee, in relation to the boundary line between said states.

The bill to establish a district court in the state of Alabama, was taken up, amended so as to reduce the salary of the judge from 2,000 to 1,500 dollars, and ordered to a third reading.

The house resumed the consideration of the report of the committee of the whole, on the bill for the relief of certain surviving officers of the revolutionary army.

Whereupon, a debate of considerable interest arose, in which Messrs. *Livermore*, *Nelson*, of Va. *Gross*, of N. Y. *Hemphill*, *Cushman*, *Migs*, and *Warfield* advocated the bill, and Mr. *Hurbin* and Mr. *Southard* opposed it.

The question on concurring in the report of the committee of the whole, to strike out the first section of the bill, was then decided by yeas and nays, as follows:

YEAS—Messrs. Abbot, Adams, Alexander, Anderson, Archer, Md. Baker, Barbour, Bateman, Beecher, Bloomfield, Butler, Burwell, Butler, N. H. Campbell, Cannon, Cobb, Cooke, Crafts, Davidson, Dennison, Dewitt, Dickins, Eddy, Edwards, of Conn. Edwards, N. C. Fay, Fisher, Floyd, Ford, Garrison, Gross, N. Y. Hall, of D. C. Hall, of N. C. Hardin, Hays, Hendricks, Hishman, Holmes, Hooker, Hostetter, Jones, Va. Jones, Truitt, Kinsley, Linn, Lowndes, McInley, McCoy, McLean, Kenn. Mallory, Marchand, Meach, Metcalf, R. Moore, Morton, Murray, Park, R. Mass. Park, Va. Patterson, Phillips, Philson, Pindall, Pitcher, Plumer, Reed, Rhea, Rich, Richards, Richwood, Russ, Sampson, Sawyer, Sitt, Shaw, Simpkins, Sheumb, B. Smith, of Va. A. Smyth, of Va. Smith, N. C. Southard, Stevens, Strong, Vi. Terr, Terr, Tooupi, A. Tucker, Va. Tucker, S. C. Tyler, Walker, N. C. Wallace, Wendover, Williams, Va. Williams, N. C. Wood--74.

NAYS—Messrs. Allen, Mass. Allen, N. Y. Allen, Tenn. Archer, Va. Baldwin Ball, Bayly, Bloomfield, Bodin, Brush, Bryan, Burgen, Butler, Lou. Case, Clark, Cook, Crawford, Crowell, Culbreth, Culpeper, Cushman, Cuthbert, Dickinson, Dwyer, Earle, Ervin, Floyd, Fort, Fort, Fuller, Gross, of N. Y. Hackley, Hemphill, Hendricks, Hester, Hill, Kendall, K. N. Kinsley, Little, Livermore, Lyman, McCarty, Mason, M. Migs, Moore, Monell, Musley, Neale, Nelson, of Mass. Nelson, Va. Newton, Pinckney, Ringgold, Roberts, N. Rogers, Ross, Sergeant, Silbey, Sloan, Smith, N. J. Smith, Md. Storrs, Street, Strong, N. Y. Tomlinson, Tracy, Van Benschoten, Warfield--70.

So the first section was stricken out, and the bill of course rejected.

Mr. *Livermore* then moved to discharge the committee of the whole from the further consideration of the bill which proposes to change the tariff of duties on goods imported, with a view to move for its indefinite postponement. He proceeded to assign reasons for his motion. The bill, he said, had

for its object essentially to change our revenue system, and to change it, in his opinion, for the worse. The time, too, for making this experiment was, he said, of all times the most unfortunate; at a moment when it is known that the treasury is drained to the very dregs—

Mr. *Speaker* here arrested Mr. *Livermore's* speech, by declaring, that debate on the merits of the bill was not in order on this motion, according to the rules of the house.

Mr. *Barbour*, with a view to bring the question into a shape susceptible of debate, moved to amend Mr. *Livermore's* motion, so as to add to it a provision to postpone the bill indefinitely.

This motion, and debate upon it, were also pronounced irregular, for reasons which Mr. *Speaker* assigned.

After some observations on the point of order, from Messrs. *Barbour*, *Livermore*, and *Lo vides*,

The question on Mr. *Livermore's* motion was taken without debate on the merits of the bill, and decided as follows:

YEAS—Messrs. Abbot, Alexander, Allen, Tru. Anderson, Archer, Md. Archer, Va. Ball, Barbour, Bayly, Bryan, Buffum, Burton, Burwell, Butler, N. H. Butler, Lou. Cannon, Cobb, Cooke, Crafts, Crawford, Crowell, Culpeper, Cuthbert, Davidson, Earle, Edwards of N. C. Fisher, Floyd, Garnett, Hall, N. C. Hardin, Holmes, Hooker, Jones, of Va. K. N. Livermore, Lowndes, McCoy, McCarty, Meach, Neale, Nelson, Mass. Nelson, Va. Overstreet, Parker, Va. Pinckney, Pindall, Rankin, Reid, Rhea, Richards, Ringgold, Robinson, Settle, Silsbee, Simpkins, Sheumb, B. Smith, Va. A. Smyth, Va. Smith, N. C. Swearingen, Terrill, Tucker, of Va. Tucker, of S. C. Tyler, Walker, of N. C. Warfield, Whitman, Williams, of Va. Williams, of N. C.--71.

NAYS—Messrs. Adams, Allen, of Mass. Allen, of N. Y. Baker, Baldwin, Bateman, Beecher, Bloomfield, Bodin, Brown, Brush, Campbell, Case, Clark, Cook, Culbreth, Cushman, Darlington, Dennison, Dewitt, Dickinson, Dwyer, Eddy, Edwards, of Conn. Fulger, Ford, Ford, Fort, Fuller, Gross, N. Y. Gross, of Penn. Hackley, Hall, of N. Y. Hall, D. C. Hazard, Hemphill, Hendricks, Hendrick, Hishman, Hester, Hill, Hostetter, Jones, of Tenn. Kendall, Kinsley, Kinsley, Linn, Little, Lyman, Macay, McLean, Del. McLane, Kenn. Mallory, Marchand, Mason, Meach, Metcalf, R. Moore, S. Moore, Monell, Morton, Mowley, Murray, N. Y. Norton, Park, Va. Patterson, Phillips, Philson, Pitcher, Plumer, Rich, Richmond, Rogers, Ross, Russ, Sampson, Sawyer, Sergeant, Sheumb, Sloan, Smith, of N. J. Smith, of Md. Southard, Stevens, Storrs, Street, Strong, N. Y. Tarr, Tomlinson, Tompkins, Tracy, Trimble, Van Benschoten, Wallace, Wendover, Wood--66.

So the house refused to discharge the committee of the whole from the consideration of the said bill. Whereupon,

Mr. *Storrs* offered the following resolution, and moved that it be committed to a committee of the whole, on the state of the union:

"Resolved, That it is expedient to provide, by law, for the establishment of a system of internal revenue."

This resolve was referred, as moved, without debate.

Several bills were received from the senate, read twice and referred.

The engrossed bill, for the relief of gen. James Wilkinson (appropriating 3000 dollars, to indemnify him from a certain judgment obtained against him by gen. John Adair), was read a third time, and passed, by a vote of 70 to 54, and was sent to the senate for concurrence.

The bill for the relief of persons holding certain unlocated claims to land, in the state of Illinois, was ordered to be engrossed for a third reading. [Passed next day].

After other business, Mr. *Sergeant* moved that the house should resolve itself into a committee of the whole on the bill to establish an uniform system of bankruptcy--negatived, 47 for, 56 against it.

Saturday, April 15. Mr. *Lincoln* obtained leave of absence from the service of the house for the remainder of the session.

On motion of Mr. *A. Smyth*, the secretary of war was directed to prepare a statement of the whole

number of militia in service during the late war with Great Britain; shewing the periods of their service, their pay, and from what states and territories drawn, to be laid before the house at the next session of congress.

Mr. *Meigs* moved that the house do now proceed to consider the resolution submitted by him on the 5th February last, in relation to the abolition of slavery within the United States.

And the question being taken thereon, it was determined in the negative.

Mr. *Cobb* then moved that the house do now proceed to consider the report of the committee of the whole on the state of the union, on a resolution submitted by him, proposing an amendment to the constitution of the United States in relation to appointments to office.

And the question being taken thereon, it passed in the affirmative—yeas 71, nays 69.

The amendments reported to the said resolution by the committee of the whole on the state of the union, were then read and concurred in by the house, and the said amendment, as amended, is in the words following, to wit:

"No senator or representative in the congress of the United States shall, during the time for which he was elected, or within one year thereafter, be appointed to any civil office under the authority of the United States."

On the question to order the resolution to a third reading, a debate arose, which occupied about two hours. The gentlemen who engaged in the debate were, Messrs. *Pindall, Brush, Neale, Cobb, Robertson, Sergeant*, and *Gushman*.

The question being taken, by yeas and nays, on agreeing to the proposed amendment to the constitution, was decided as follows:

YEAS—Messrs. Abbot, Adams, Alexander, Allen, Mass. Allen, N. Y. Allen, Tenn. Archer, of Va. Baker, Ball, Harbour, Bayly, Becher, Biden, Burwell, Butler, N. H. Buttrick, of Lon. Cannon, Cobb, Cooke, Crafts, Crawford, Crowell, Culpepper, Earle, Edwards, N. C. Fay, Floyd, Garnett, Gross, N. Y. Hall, N. Y. Hall, N. C. Hendricks, Hendrick, Hilster, Horke, Jones, Va. Jones, Ten. Knudsen, Kruft, Little, Marchand, M'igs, Moore, Mosely, Murrell, Nelson, Murray, Neale, Overstreet, Phelps, Pindall, Plumer, Reed, Ross, Russ, Sawyer, Shan. Slocumb, B. Smith, Va. Storrs, Strong, of Va. Swearingen, Tarr, T. Trill, Tracy, Trimble, Tucker, S. C. Tyler, Van Rensselaer, Whitman, Williams, of Va. Williams, of N. C.—72.

NAYS—Messrs. Archer, of Md. Baldwin, Bateman, Bloomfield, Brown, Brush, Bryan, Buffum, Campbell, Can. Claggett, Clark, Cook, Culbreth, Cushman, Cuthbert, Darlington, Davidson, Davidson, D. Witt, Downs, Eddy, Edwards, Conn. Ervin, Fisher, F. Iger, Frost, Ford, Full, r. Gross, Pa. Hackley, Hall, D. I. Hardin, Hazard, Hitchman, Holmes, Hostetter, Kinney, Kindy, Linn, Livermore, Lowndes, Lyman, Marlay, McCoy, McCrary, McLane, of D. I. McLane, of K. N. Vellary, Mason, R. Moore, S. Moore, Mosely, Nelson, of Mass. N. Linn, Va. Newton, Parker, Mass. Parker, Va. Patterson, Philson, Pitcher, Raskin, Rh-a, Rich, Richards, Richmond, Ringgold, Robertson, Rogers, Sampson, Seargant, Settle, Shaw, Shiver, Simpkins, Smith, of N. J. Smith, N. C. Southard, Stevens, Street, Strong, of N. Y. Taylor, Tomlinson, Tompkins, Wallner, Wendover, Wood—67.

A good deal of other business was transacted, which shall be noticed in its progress.

Mr. *Lowndes* submitted the following resolve:

Resolved, That the committee of manufactures be instructed to report to this house such evidence, or estimates, as it may be in their power to present, shewing the several rates of wages given, and the expenses of all kinds incurred, in the different branches of manufactures, which, in their opinion, require additional encouragement, with the prices of their product, so as to exhibit the profit, which, at the present price of subsistence, materials and labor, and the present value of land, buildings and machinery, may be obtained in such manufacture, skillfully and economically conducted.

The said resolution was read and ordered to lie on the table; and

The house adjourned.

Monday, April 17. Mr. *Tracy* presented a petition of sundry merchants of Rochester, in the county of Genessee, in the state of New York, praying that the bill now pending before this house, supplementary to an act "concerning navigation," may not be passed into a law.

Sundry reports were received, &c. and other business transacted of no present interest.

On motion of Mr. *Lowndes*, the house proceeded to consider the resolution submitted by him, on Saturday, calling on the committee of manufactures to report certain information respecting the state of manufactures in the United States.

A debate arose—Messrs. *Lowndes*, *Tyler*, *Barbour* and *Culpepper* in the affirmative, and Messrs. *Baldwin*, *Sergeant*, *Fuller*, *Gross*, of N. Y. and *Little* in the negative.

Those who supported the motion argued, that encouragement was demanded for our manufacturers by increased duties, on the ground that they were now oppressed and ruined; that it was necessary to have these facts to know how far these allegations were true or otherwise—to know whether the distress complained of was in fact real or suppositious.

On the other hand, it was argued, that the revision of the tariff had been proposed by the committee of manufactures from considerations of national policy, and from a minute investigation of details; that the information asked was not such as a committee of this house ought to be required to give, and which each member could as well procure for himself as a committee for him; and that the adoption of the resolve would serve the purpose of delay, &c.

The question being taken, by yeas and nays, on agreeing to the resolve, there were

For the resolution	72
Against it	90

So the resolve was rejected.

The engrossed bill "relative to the Arkansas territory," the engrossed bill to annex certain public lands in the territory of Michigan, to the district of Detroit; the engrossed resolution giving the consent of congress to a compact between the two states of Kentucky and Tennessee for the settlement of their boundary; were severally read a third time and passed.

After debate, the bill for the relief of the officers and volunteers engaged in the Seminole war, was laid on the table—yeas 70, noes 63.

The house then resolved itself into a committee of the whole, Mr. *Tomlinson* in the chair, on the bill extending the time for the redemption of lands sold to pay the direct tax in certain cases.

Mr. *Sergeant* moved an amendment to provide how deeds shall be made to purchasers of lands sold for the payment of the direct tax, where there is no collector now to do it—agreed to.

No other debate or proceeding took place on this bill. To the same committee of the whole was referred two or three other bills; among them, the bill from the senate, making further provision for the sale of public lands, (for changing the system from a credit to cash payments.)

Messrs. *Anderson*, *Brush* and *Fuller* supported, and Messrs. *Jones*, *Crowell* and *Brown* opposed the bill. The committee rose without a decision, and the house adjourned.

Tuesday, April 18. The committee on public expenditures, to whom were referred the resolution of December last to enquire and report the amount of the several items which are charged upon the contingent fund, and whether, in their opinion, the expenditures may not in future be diminished,

consistently with the public interest and the accommodation of the two houses of congress, made a long and detailed report, concluding as follows.

"After the most diligent investigation which your committee have been enabled to make, their enquiries have resulted in not being enabled to detect any abuses, if any have existed, or do exist; nor have they been able to discover how, or in what manner, the expenditures upon the contingent fund of this house can be diminished, consistently with the public interest, or its comfortable accommodation.

On motion of Mr. Williams, of North Carolina, it was

Resolved, That the secretary of war be directed to lay before this house the proceedings of the court martial on the trial of William King, colonel of the 4th regiment of U. S. infantry.

The house took up the bill to confirm the title of the Mochiccan, or Stockbridge Indians, to certain lands lying on White river, Indiana; upon which much discussion arose, and the question being lost on ordering the bill to be engrossed, it was rejected.

The engrossed bill extending the time allowed for the redemption of land sold for direct taxes and purchased on behalf of the United States, was read the third time, passed, and sent to the senate for concurrence.

The house then resolved itself into a committee of the whole, Mr. Tomlinson in the chair, on the bill, from the senate, reducing the price of the public lands and establishing cash payments therefor.

Mr. Robertson took the floor, and advocated the bill in a speech of about an hour in length; when, on motion of Mr. Clay, the committee rose and obtained leave to sit again to-morrow.

And the house adjourned.

Brief notice of the proceedings of Wednesday and Thursday.

IN THE SENATE—Wednesday. Considerable time was spent on the bill further to extend the judicial system of the United States. After which it was postponed until Saturday.

The senate receded from their disagreement with the house, in respect to the bill to establish a district court in Alabama.

The bill to authorise the building of a number of small vessels of war, was, after amendment, ordered to be engrossed and read a third time.

Thursday. We have not any particulars of this day's proceedings, except a notice of the passage of the bill respecting certain small vessels of war.

House of representatives. Wednesday, April 19.— Mr. Sergeant reported a bill to authorise the people of the District of Columbia to hold a convention, to determine whether it will be for their benefit to have the rights of self-government extended to them, &c.

Mr. Jones, of Va. submitted the following resolution for consideration:

Resolved, That the secretary of the treasury be requested to communicate to this house, his opinion respecting the probable effects which will be produced upon the revenue, should the bill to regulate the duties on imports, and for other purposes, now pending before this house, be enacted into a law.

This motion and the proceedings on it gave rise to considerable debate.

After much discussion and some warmth of debate, the resolution was laid upon the table—ayes 71, noes, 67.

In the further debate which took place on the land bill, the main object (to reduce the price

of the public lands from the present price to one dollar and twenty five cents per acre, and to abolish credits thereon) was supported and opposed by the following gentlemen:

Affirmative, Messrs. Anderson, Barbour, Hardin, Sloan Storrs.

Negative, Messrs. Clay, Brown, Butler, of Lou.

Cook, Hendricks, Jones, of Penn, McLagan, of Ken. Some other gentlemen incidentally engaged in the discussion on amendments, &c.

After the bill had been reported by the committee of the whole, a variety of propositions were offered to amend it.

But every proposed amendment was rejected, and the bill ordered to a third reading to-morrow.

Thursday, April 20. After a variety of business, not necessary to detail just now—

Mr. Baldwin gave notice that he should, on to-morrow, move to postpone all the other orders of the day, in order to take up the bill for altering the tariff of duties on imports.

The bill from the senate, for changing the mode of disposing of the public lands, was then read a third time, and on the question, "shall the bill pass?"

The vote was as follows:

For the passage of the bill	133
Against it	23

So the bill was passed, and returned to the senate, requiring only the signature of the president to make it law.

The bill to provide for clothing the militia when called into the service of the United States; the bill to establish an uniform mode of discipline and field exercise for the militia of the United States; and the bill from the senate, "to provide for clothing the army of the United States in domestic manufactures," passed thro' a committee of the whole, Mr. Foot in the chair, and were reported to the house.

The last bill being taken up in the house—

Unsuccessful motions were made to lay it on the table and postpone it to the first day of May.

Among other motions to amend the bill was one by Mr. Holmes, to strike out the proviso, that the domestic goods can be procured at the same prices as goods of the same kind and quality of foreign manufacture.

This motion gave rise to considerable debate, and was at length decided by yeas and nays, 85 to 73, and was therefore agreed to.

An amendment was agreed to providing that not more than *five per cent.* should be paid on goods purchased for the army over the cost of such articles, if imported from a foreign country—82 to 78.

The amendments were then ordered to be engrossed, and, with the bill, to be read a third time to-morrow.

The remainder of the day was occupied on the bills for the establishment of new land offices in Alabama, Illinois, &c.

Important Tour.

FROM THE DETROIT GAZETTE, OF MARCH 3.

We are informed that the secretary of war has instructed governor Cass, to proceed upon an exploring tour to the northwestern extremity of lake Superior, and thence to the heads of the Mississippi, and, by the way of Prairie du Chien and Green Bay, to Lake Michigan.

No part of the United States is less known than the country upon this route. We depend, for our information respecting it, almost wholly upon the reports of Indian traders. It is certainly time that

the important geographical and political questions connected with it were satisfactorily solved. It has long been known that large masses of virgin copper are to be found on one of the streams which empty into lake Superior on its southern shore. Those require to be fully examined, and the country should be purchased from the Indians for the benefit of the United States. Its mineralogical treasures could then be used for important national objects.

We are glad to see that Mr. Calhoun pursues, with zeal and ability, the necessary measures for obtaining a correct knowledge of the remote sections of our country. He has probably carried into the war department the same opinions which distinguished him in congress, upon questions of internal improvement. With the practical views of an enlightened statesman, he appears anxious to have our immense unsettled frontiers explored, for purposes of general information, as well as for the accomplishment of objects more immediately connected with his department. An ignorance of the geography of their own country, ought not to be the reproach of Americans.

We understand that the gentlemen attached to this expedition, will leave here soon after the opening of the navigation, in birch canoes. This mode of conveyance is not only the most economical, but it is also best adapted to the country, and will enable the tourists to explore, in their passage to lake Superior, the American shore of lake Huron, which is, perhaps, not better known than that of the former.

We are not yet informed who will accompany governor Cass in his contemplated tour, but if he has the privilege of choosing his assistants we shall, from a knowledge of his ability and enterprise, be sanguine in the expectation of seeing results from this expedition, both of a scientific and political nature, equal to, if not surpassing even those that will be produced by the one to the Yellow Stone.

CHRONICLE.

Anten and Hull were brought before the Baltimore county court on Monday last, charged with the murder of John Heaps, the driver of the mail carriage, at the time it was recently robbed near this city. They plead guilty. Sentence of death, on this account, was passed upon them on Wednesday. So it is not probable that they will be tried in the U. S. court for robbing the mail.

The theatre, at Washington city, was destroyed by fire on Wednesday morning last. Some experiments on gas had been made therein the preceding evening. No other damage was done. Some suppose this to have been the work of an incendiary, but others believe it to have been accidental.

Capt. *W. B. Finch* is to be second in command of the *Columbus 74*, in the place of capt. Elton, who declines the service on account of ill health.

Promotion. Lieut. C. W. Morgan has been appointed a master commandant in the navy of the U. States.

The times. A wharf and certain valuable store-houses, in Alexandria, Col. which originally cost 17,000 dollars, were recently sold at auction, for 1,250.

Bank of Kentucky. The Lexington Reporter of April 5, says—The notes of the bank of Kentucky and its branches are now received in all payments, at the office of discount and deposits of the bank of the United States.

Anonymous letters. The son of a most respectable gentleman of Philadelphia, has been detected in the act of sending anonymous letters to citizens of that place, and been held to bail in the sum of ten thousand dollars.

Deaf and dumb. We have an interesting report from the managers of the institution for the relief of the deaf and dumb in New York. The present amount of pupils is 56. In several instances, the causes of deafness appear to be removing, and some begin to speak; and the condition of all is ameliorating. We trust that this humane establishment will long exist an honor to the state, like that in Connecticut.

British combination. It appears to us now to be a well established fact, that rich and extensive associations have been formed in Great Britain, and large sums of money subscribed, for the purpose of putting down American manufactures. The association appears to have agreed to sacrifice the sum of 300,000. sterling (1,332,000 dollars) in the experiment, to inundate our country with goods and dispose of them on any terms which may best have effect upon our establishments; believing that when these are once destroyed, they may hold the market at their own prices.

The names of some of the conspirators are given—among them are earl Grosvenor, lord Folkestone, Mr. Brougham, Sir Robert Peel, and many great manufacturing houses.

Baltimore inspections—for the quarter ending March 31 1820.—151, 408 1-2 bbls. wheat flour; 1379 do. rye do.; 1263 do. corn do.; 1706 do. pork; 1567 do. beef; 12107 casks domestic liquors; 408 large do. 1756 kegs of butter; 2527 do. lard, &c. &c.

New York. The legislature of this state closed a long session on Friday night, last week. The controversy about Mr. Tompkins' accounts remains as it was at the beginning of the session—the two houses having disagreed. Mr. Spencer, (speaker) received a vote of thanks, 67 to 30, for the able, impartial and dignified manner in which he had discharged the duties of the office.

North Carolina. An elegant bridge has been built over Cape Fear river, near Fayetteville N. C. It was opened to the public with great ceremony. The central body is 400 feet long, and its height above the bed of the river 80 feet—its whole length 1100 feet. It is called the "Clarendon bridge."

Savannah. A design appears to have been formed to have fired the remains of this city in four places at the same time! Certain persons are arrested, charged with the horrible intent.

New Orleans begins to abound with produce—the steam boats are arriving with immense cargoes of cotton, flour, &c. Some of these have descended 1700 miles in eight days!

DOMESTIC INDUSTRY. From the *N. Y. Commercial Advertiser* of April 4.—We have this day seen a superb sword, made at the factory of Mr. Starr, in Middletown, Conn. in obedience to a vote of congress. The actual cost of this sword is one thousand dollars, and it is believed, that a more superb article of this kind was never seen in this or any other country. We shall endeavor to give a brief description of it.

On one side of the hilt are the arms of the United States—on the other, the following inscription—"Voted by the congress of the United States, to col. Richard M. Johnson, in testimony of the sense of his gallantry in the battle of the Thames, in Upper Canada, October 5th, 1812." The head of

the hilt is an eagle, bearing an open wreath in its mouth.—The head of the guard is a bust of Ceres. The thumb pieces on each side form a spread eagle, holding in his talons an emblem of agriculture. The bow of the guard represents a wreath of branches, descriptive of the Union of the states. The blade is of the sabre kind, of the best materials, and so well tempered as to resist any impression that has been attempted to be made upon it.

The scabbard is richly gilded; the ornaments, which are of solid gold, reflect great credit on the ingenuity of the artist.

The case that contains the sword, is of that kind of wood called bird's eye maple, and is of superior beauty and workmanship.

Mr. Starr, the manufacturer of this sword, on his journey to Washington, politely afforded the editor of the *Register* an opportunity of examining it. We are not judges of things of this sort, but it would appear to us that its workmanship cannot be excelled. The hilt, as above described, is of gold, and the blade is supposed to equal the famous manufactures of Damascus. Mr. Starr says it *cannot* be broken—that it has been severely struck against fifty other swords, without making the least impression on its edge. The workmanship, in all its parts, was executed by native Americans.

From the National Intelligencer of the 19th inst.

The sword voted to col. RICHARD M. JOHNSON, by a resolution of congress, in testimony of their high sense of his gallantry and good conduct, in the decisive battle on the Thames, in Upper Canada, during the late war with Great Britain, was presented to that gentleman yesterday by the president of the United States. The heads of departments, and many members of both houses of congress attended to witness an honor not less distinguished than it is deserved. On presenting to col. Johnson this mark of his country's approbation, the president addressed him as follows:

Sir—I now perform an office which is very gratifying to my feelings. In the late war, our country was assailed on every side; on the whole Atlantic coast, and inland frontiers; and in many quarters, at the same time. Honored by your fellow citizens, you then held a station in the public councils, which afforded you an opportunity to render services, with which a patriotism, less ardent, would have been satisfied. But you repaired to the field, at the head of a regiment of volunteers, and met the enemy, at one of the points, where he was most formidable. At the head of that corps, and well supported by it, you fought with heroic gallantry, and essentially contributed to the victory which was obtained. Your country is grateful for these services, and in compliance with a resolution of congress, I present to you this sword, as a testimonial of its high regard.

To which col. Johnson replied:

Mr. President.—With sentiments of unfeigned gratitude to this national legislature, for the testimonial of their approbation, and to you, sir, for the cordiality with which it is presented, I accept the donation, as the richest reward of a soldier's merit—but not without a deep sense of the slender claim which I have to such distinguished honor. Conscious of the forbearance of our country under a continued repetition of injuries, it became my duty, when the last resort of nations was adopted, to contribute, with our fellow citizens, my personal services, in vindicating our common rights; and it was my good fortune to be placed at the head of a corps,

whose valor was equal to the occasion, and who would have done honor to any leader. Their worth supplied my deficiency; and it will ever give me pleasure to regard this, as a token of their merit. Unworthy as I am of this distinction, I derive great consolation from the elevated character of the illustrious body under whose resolution you act, which is much increased by a recollection of the revolutionary services, and the exalted reputation of the individual designated to carry it into effect.

Adjutant & Inspector gen's. office, Feb. 7, 1820.

EXTRACT OF GENERAL ORDERS.—“At a general court martial, begun and holden at Montpelier, in Alabama, on the 23d of November last, of which lieut. col. William Lindsay, of the corps of artillery, was president, and S. D. Hays, esq. judge advocate, was tried colonel Wm. King, of the fourth regiment of infantry.

“The court sentence the prisoner, col. William King, of the 4th regiment of United States infantry, to be suspended from all rank, pay and emoluments, for the space of five years, from the date of the ratification of this sentence.

“The president of the United States approves the proceedings of the general court martial in the case of col. Wm. King, of the 4th infantry, and directs that the sentence of suspending him from all rank, pay and emoluments, for five years, be consequently carried into effect.” By order,

D. PARKER, *Adj. and insp. gen.*

Adjutant and inspector gen's. office, April 7, 1820.

GENERAL ORDER.—Congress having limited the appropriations, for this year, to *twenty one thousand dollars*, on account of bounties and premiums, all minor recruiting parties will be withdrawn, and the recruits, together with the clothing and other public property, will be forthwith removed to their respective regiments and corps.

Recruiting will in future be carried on only at the head quarters of regiments, corps, and at posts, except at the following places, viz: One recruiting station, or rendezvous, at Baltimore, to consist of one officer of the corps of artillery, south division, and one officer of the fourth infantry. One rendezvous at Philadelphia, to consist of one officer of the corps of artillery, south division, and one officer of the first, one of the seventh, and one of the eighth infantry. One rendezvous at New York, to consist of one officer of the corps of artillery, south division, and one officer of the second, one of the third, and one of the fifth infantry. One rendezvous at Boston, to consist of one officer of light artillery, and two officers of the corps of artillery, north division. One rendezvous at Pittsburg, to consist of one officer of the sixth infantry; and one rendezvous at St. Louis, to consist of one officer of the rifle regiment. By the regulations, recruiting is to be carried on under the orders of the commanders of divisions and departments; and this order is sent to officers now superintending that service, that they may make the necessary arrangements to carry into effect the further orders of the commanding generals. None but the best young men will be received as recruits. All the recruiting regulations will be strictly enforced, and the duplicate enlistments, returns, and reports, required for this office, will in no instance be dispensed with.

No furlough will be given to any paymaster for more than ten days, except with the approbation of the paymaster general. By order,

D. PARKER, *adj. and insp. general.*

NILES' WEEKLY REGISTER.

NEW SERIES. No. 9—VOL. VI.] BALTIMORE, APRIL 29, 1820. [No. 5—VOL. XVIII. WHOLE No. 451

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ For Relations with Spain, see 168.

☞ Another removal. The REGISTER will hereafter be published at that commodious four story building in Water-street, the 3rd door east of South-street, on the direct route from the present Merchants coffee house to the new Exchange—a place easily found and very convenient to all, residents or strangers, who have business to do with the editor. It is to be hoped that this eligible situation will be a permanent one.

☞ If the gentleman that wrote a letter to me signed "a former correspondent," whose name was recollected when the letter was received, but just now forgotten as the latter has passed out of my hands, will give the name and other particulars of the affair which he communicated, I feel authorized to say that the matter will be severely investigated by the proper officer.

"DOMESTIC ECONOMIST." William Ogden Niles presents his respects to the gentlemen who have interested themselves to give a circulation to his prospectus, or to obtain subscribers for the work that he contemplated to publish—but it appears to him that this is not a favorable time to press it forward, and he therefore declines it for the present; hoping that under happier circumstances, such a publication may be found useful to his country and advantageous to its proprietor, whether he himself shall be engaged in it or not.

MONEY CHEAP. Proposals were a few days since made by the mayor, for a loan to the city of Philadelphia, of \$20,000 for twenty years, at six per cent. The following bids were offered:

\$22,800 at 1½	} per cent. above par.
24,700 at 3	
10,000 at 2½	
15,000 at 2 3-10.	
20,000 at 2½	
20,000 at 3	
4,000 at 4	

The facts here disclosed only corroborate the truth of what we have often asserted, that money would be "plenty" enough, if there were objects to give it circulation. When the circulation was free, money was generally regarded as worth eight per cent.—We see now by the prices offered for this loan, and especially by the rates at which the United States stocks are disposed of, that it is worth less than six.

"MODERN VANDALS." We have a doleful article from the Edinburgh Review, about a trading company formed in France in 1795, for the purpose of buying up princely mansions and demolishing them, for the sake of their materials; and that even in 1817, a splendid house near Paris, the painting of the ceilings of which cost 16,500l. sterling (63,000 dollars!) was sold to a "working brazier" for 4,290l. who declared his intention of demolishing it, unless some purchaser would, within a stated time, give him 250l. for his bargain. None came forward, and in November, 1817, all that remained of it was a heap of stones! The leaden and iron pipes, and

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the pier glasses alone, were valued at nearly 4,000l.

Now, we have a house near Baltimore, built when some money was manufactured as fast as the paper makers could finish the chief material, that is probably destined to share a similar fate, unless some thrifty Dutch farmer of Pennsylvania should happen to buy the land, and convert the edifice into a barn, with stabling, &c. in the basement story; for there are not perhaps, 20 men in the United States who have the ability and inclination to reside in a mansion which must be supported at so great a cost, and attended with so great a sacrifice of domestic comfort to insignificant pageantry and shew. Yet we cannot believe, that if the house alluded to were used as a barn, or demolished for the sake of its materials, that it would be an evidence of *Vandalism*, as the reviewers speak of the things which have happened in France—but as shewing a return to the former simplicity of our country, and as affording an useful lesson to pride. Palaces and poor houses—a few men of great wealth and millions in abject poverty, are inevitable appositions. Many of the lordly castles and splendid edifices that were to be found in all parts of France, before the revolution (as was observed in my hearing by a gentleman who had travelled through that country at two distant periods) have disappeared—but so also have thousands of the miserable mud-built cottages.—The materials of the former were used to erect comfortable farm houses, which have taken the place of the latter, and society is benefited by the change. But, though I regret the loss of the materials, I would give a subscription of fifty dollars a-piece, if the particular house near Baltimore which I have reference to, and one or two others that might be designated, were turned into barns, stables and pig-sties, to remain for ages as monuments of the folly or fraud of the times through which we have just past—wherein the support of the widow and the orphan, the stores laid up for old age by honest industry, and the sweat and blood of the laboring poor, have been sacrificed to the Demon of Speculation, or ruthlessly seized upon by a would-be nobility—the "rag barons" of the land.

People may call these things Vandalic or Gothic, if they please—but I trust that the principle on which they rest will be cherished while one friend of man remains on the earth, to relieve the gloom of despotism or enter his protest against high handed oppression and unblushing fraud. Certainly, I believe in a future state of rewards and punishments—but it is grateful to my heart, to witness the triumph of virtue and punishment of vice, here—that the good may be encouraged and the wicked checked. In national or other public buildings, I am willing to allow a great latitude—extravagance may sometimes be sanctioned in these, to shew the state and progress of the arts and to preserve a correct taste—to please the eye and gratify a just pride: yet I would not have such halls built as that which is now occupied by the house of representatives of the United States, for in this the eye is pleased at the cost of mind. It is most beautiful—most magnificent; but destitute of comfort or convenience—unfitted for the business of legislation. Not one speaker out of twenty, perhaps,

can make himself heard understandingly by all the members, even if all are disposed to lend him their strictest attention—*ergo*, nineteen out of twenty speak to a dozen or two persons nearest to them—to the splendid columns and mighty dome, for—the newspapers. Use should never be given up to shew; yet shew may be useful in giving a proper direction to mind, on public national concerns. But edifices, such as those destroyed in France, and which I wish converted into barns in America, built by men who have snatched “from the mouth of labor the bread it earned” and waded through blood to gather gold—or given themselves up to shameless speculation and deception, can serve no other purpose than to inflame the honest heart and provoke the curses of every honest man—if suffered to remain in abominable splendor. Let them perish or be appropriated to the meanest, but not the most useless, of purposes. Let the hog have a wallowing place where the more filthy hipped would have revelled on his unhallowed gains—fanned by the groans of the aged, drunken with widow’s tears and gluttoning on the flesh of men!

REVOLUTION IN SPAIN. The late radical change in the government of Spain, is among the most extraordinary things of these extraordinary times—this age of revolutions. The famous return of Napoleon from Elba, is its only parallel. It is a great triumph of humanity—a powerful evidence of the march of mind—a glorious achievement of man—an excellent lesson to tyrants. We see that when principle sides with power, when truth nerves the arm of a people, how easily the most cunningly devised systems of despotism may be dashed to pieces, though supported by the strongest religious and political prejudices—the terror of death here, and the anathemas of “the church” for the hereafter. Glory to the Giver of all good gifts, for this emancipation of Spain!—May her children profit by it, and render their country the land of virtue and intelligence, instead of suffering it to be the home of civil and religious ignorance and crime! As a citizen of the world, I rejoice at the progress of knowledge every where and any where; but am especially glad when I behold an infringement upon those fabulous rules of right which teach men, that other men, like themselves, are invested by the common Creator, by birth or circumstance, with privileges to command in this, and even to regulate the affairs of the world of spirits, as knaves assume the power to do, wherever royalty and a national religion exists.

Napoleon with less than 500 men, invaded France, though the reigning family apparently commanded a fourth of a million of highly disciplined and well supplied troops—but the mind of the nation, its moral force, was with him—its power rallied round his standard, and he mounted the throne without shedding one drop of blood: so also, and from like causes, men even unknown to fame in Spain, with a force in arms insignificant when compared with the force of the nation, the influence of royalty and the extensive power of the priesthood, by forming a centre point, disjoined and destroyed the despotism of this benighted land, almost without striking a blow! In neither of these cases have we an evidence of general concert; both of those revolutions were effected by the majesty of public opinion. France seems nearly ready again to exert its strength; and we trust that England, pinioned as she is by her army and navy, public creditors and “splendid paupers,” her monarchy and church establishment, will one day bring it forth to chase

away those institutions and such as are supported by them, which fetter the freedom of the will and bind down the persons of the many to severest servitude, that the few may riot in dissipation and luxury.

We have many items of intelligence from Spain, but much is yet wanting to enable us to give a connected history of the events that have taken place. Sufficient is it at this time to say, that the revolution appears to be complete, and that the dungeons of the inquisition have given up their living-dead: Quiroga, and his brave compatriots, deserve immortal honor for the moderation and firmness with which they have effected the emancipation of their country.

OUR INDIANS. We publish another interesting paper on Indian affairs—the report of a committee of the senate, concluding with a resolution that it is inexpedient to abolish the present system of Indian trade, as established by law. We rejoice at this manifestation of a disposition to preserve the barrier which JEFFERSON contrived, with a view to their progress in civilization and the arts. Profligate persons, influenced by that spirit of trade, which could “enter into contract with the enemy of souls to supply his dominions with fuel,” are continually on the alert to break down the restraints which humanity has imposed, to ameliorate the condition of the sons of the forest and afford them a settled habitation and home. The business of agriculture is hostile to the views of these men, as is every thing else that tends to the comfortable subsistence of the Indians.—They would have them to rely on the chase, to obtain skins, and keep them in the most abject want and depravity, to compel them to dispose of their spoils at reduced prices—especially in exchange for ardent liquors, which the natives are unhappily too fond of. To obtain one more pack of skins, these traders would wish that the Indians should forever remain savages—and they would sell whiskey to them, even if it were demonstrated, that every keg introduced was the direct cause of the murder of a dozen of them. What are the poor Indians to these? In their estimation, the original possessors of the soil ought to have no resting place upon it, except as hunters and drunkards.

Several of the tribes have made considerable progress in civilization—they no longer depend upon the chase, and engage in it rather from habit, or for amusement, than as affording them the means of subsistence. They have corn, cattle and hogs more than sufficient for their wants; and, at Waupakannetta and other places, are furnished with mills, through the exertions of benevolent individuals. In sundry instances, they have advanced as fast towards an introduction into the family of the republic, as could have been expected,—and may be considered as in that state of society in which a few simple laws, as well for their own government as to protect them from the wonton violence of their neighbors, are most necessary to a people. These will naturally be extended as property becomes fixed, and physical force is rendered subject to a moral power. Duly authorized agents only, should have intercourse with them in their present stage of improvement, as well to defend them from imposition as to present them with proper models, and *practically* shew them the benefits of civilization and religion. Just now, they may be said to be without any government. Such as are surrounded by or in the vicinity of white people, *must* come under restraint—but it should be voluntarily and gradually introduced.

It is desired by those who have thought much on the condition of the Indians, and who are best acquainted with their wishes and wants, and we believe it is also the wish of the president, and especially of the secretary of war, whose benevolence towards this people is honorable to his character, that a general law should be passed by congress, investing the executive with power to form a simple code of municipal regulations, which, if approved of by the Indians themselves, should be enforced, to protect them from themselves and others—and advance them in works of agriculture and the arts, together with a knowledge of our language and that which is derived from books:—indeed, there are now a number of schools among them that are pretty well attended by their children, whose deportment is orderly and improvement great. There does not appear to be any rational objection to this scheme of humanity—no possible injury can grow out of it to the white people, and it must be beneficial to the Indians. It is essential to their happiness,—nay, to the preservation of their lives, that we should interfere in their behalf.

We trust then, that some humane and enlightened member of congress will introduce a bill for the purposes stated. It is believed, that if it was carefully drawn up, on the information of experienced gentlemen, that it would easily pass, though the session is nearly at a close—and even if it is thought too late to mature a general law at this session (authorising the executive to devise and enforce a simple code of rules for the government of the Indians, if freely accepted by them)—this at least might be done—a resolution passed, calling upon the secretary at war to report at the next session, a system of regulations such as his knowledge of the condition of the Indian nations, should make it appear to him would be advantageous to them and to us—and to preserve us from the odium of posterity, by having it said, that we made no considerable effort to prevent the annihilation of the original possessors of our country, but suffered them to become a prey to our own *civilized* vices and crimes.

We shall not neglect this subject—for we are deeply interested in the incorporation of this people into our own improved society, and, if disposed to boast of our *blood*, would rather imitate the folly of Mr. Randolph, claiming descent from Pocahontas, then trace our line through a Welch family a few years *older* than the creation of the world!—compared with which the most illustrious are but as of yesterday!

Napoleon Bonaparte.

The following, from a London paper of the 28th December, shows that the British continue to compliment Napoleon, as being the greatest man that has lived in modern Europe:

“*St. Helena.* A letter from a naval officer on the *St. Helena* station, dated the 2d September, states, that at that time the island was perfectly healthy. The writer says that Bonaparte, who was in good health, sometimes rides out; but seems extremely desirous to shun observation, as, upon the sight of any one, he instantly returns home. Madame Montholon had quitted the island, and it was thought Bonaparte would ultimately be left alone. The restrictions are unrelaxed, and escape is considered impossible; every avenue being guarded, the heights crowned with guns, and numbers of boats are patrolling the whole extent of the lee side of the island all night. One ship cruises to windward, to board all vessels approaching the island, and another

to leeward to pick up any boats that might venture to leave the island. The *Tees* frigate was stationed off *Lemon Valley*, about a mile and a half from James town, to watch that pass, and to overhaul all the fishing boats, which were not permitted to go out without being first examined. No vessel was allowed to anchor after sunset or before sunrise. No persons can land without the governor's permission; which being obtained, they are required to sign their names, with their ranks, &c. in a register kept for that purpose. All packages must be delivered to an officer appointed to receive them, and no letters sent but through the medium of the post-office.”

Besides the vessels mentioned, a 74 gun ship is always lying off *St. Helena*, and other ships are cruising in the adjoining seas, at the expense of more than 300,000*l.* sterling, or 2,220,000 dollars per annum, to keep a solitary individual imprisoned on a rock, in the midst of the ocean! What a compliment to his genius, nay, also to his *virtues*! What could he do of himself? But it is known that he is the beloved of France—the people point to his canals and roads and other public works—his establishment of schools, and the foundations on which he raised the domestic industry to its exceeding productiveness—they are also still governed by his code of laws, the best that Frenchmen ever knew; and, feeling the benefit of all these, millions of secret petitions are every day offered up for his return to his country. A recollection of the waste of his wars is swallowed up in the renown of the nation, and private griefs are healed—but his peaceful labors remain; and every where in France there is some great thing concerning which the people may proudly say, “behold the work of Napoleon,” as they say at *Trieste* of what he did for that city.

The following is given as the price of provisions at *St. Helena*—turkeys, 30*s.* each; geese, 40*s.* fowls, 18*s.* per couple, and those very bad; potatoes, 16*s.* per bushel; butter 5*s.* per lb. cheese, 3*s.*

We have the proceedings of a court martial held on board the *Conqueror*, by command of admiral Plampin, for the trial of Mr. Stokoe, a surgeon in the navy, who had been appointed to visit “general Bonaparte” for the purpose of affording medical assistance. Mr. Stokoe's whole sin appears to have consisted in this—that he behaved like a gentleman to the prisoner, without compromising his allegiance to his sovereign. He had been dismissed from the service; but, as if ashamed of the affected necessity of converting a physician into a pimp and spy, the government has allowed him half pay for life.

Indian Affairs.

In senate of the U. States, April 5, 1820.

Mr. Leake, from the committee on Indian affairs; who were instructed to enquire into the expediency of providing for the abolition of the system of Indian trade, established by a law of the 2d of March, 1811, which has been continued in force until the 3d of March, 1821, and for the disposition of the goods and property of the United States; and for the payment of the proceeds thereof, and of the funds vested in this trade, into the treasury, made the following REPORT:—

That, from the year 1775, to August, 1786, our Indian relations were regulated by the agencies of commissioners, who executed, under the direction

of the congress, such arrangements as were, from time to time, deemed best by that body to be adopted; and pursued such a course of policy as was thought best calculated to promote the peace of the frontiers, and the welfare of the Indians. The Indians, under the first system, were divided into three departments; the northern, middle and southern. Five commissioners were appointed for the southern department, and two for the middle and northern.

Among the first arrangements which your committee find to have been adopted, were those which embraced a system of trade with the Indians, and the privilege of prosecuting it was confined to those who should first provide for a license from one or more of the commissioners of each respective department; and no person was permitted to trade, *except at such posts or places as the commissioners for each department should respectively appoint.* On the 29th of April, 1776, it was resolved by the congress, that no traders ought to go into the Indian country, without license from the agent in the department, and that care be taken by him to prevent exorbitant prices for goods being exacted from the Indians. Measures were adopted, also, in the same year, though on a limited scale, for the introduction, amongst some of the tribes, of civilization and christianity; and the act of those earlier times are characterized with kindness, and a solicitude for the welfare of the Indians.

On the 7th of August, 1786, the congress passed an ordinance for the regulation of Indian affairs, when the Indian department was divided into two districts; the northern and southern. To each of which was attached a superintendent. It was made the duty of these two superintendents, to attend to the execution of such regulations as the congress should, from time to time, adopt; to correspond with each other, and with the secretary of war, in all matters relating to these trusts.

Under this ordination, none but citizens of the United States were suffered to reside among the Indian nations, or were allowed to trade with any nation of Indians within the territory of the United States. No person, citizen or other, under the penalty of 500 dollars, was permitted to reside among, or trade with, any Indian or Indian nation, within the territory of the United States, without a license for that purpose first obtained from the superintendent of the district, or one of his deputies. No person could entitle himself to a license who should not first produce a certificate from the supreme executive of one of the states, under the seal of the state, certifying to the applicant's good moral character, and that he was *suitably* qualified and provided for the employment of a trader, for which license he was to pay to the superintendent, for the use of the United States, 50 dollars. The term of license was not to exceed one year. No person obtained a license under this ordinance without first giving bond in three thousand dollars, for his adherence to, and observance of, such rules and regulations for the government of the trade, as the congress might, from time to time, adopt.

It would appear that, notwithstanding all this precaution the systems were not suited to the humane designs of the government. The plan of holding intercourse with the Indian tribes, by the agency of private traders, notwithstanding the regulations with which it was attempted to control them, was unsuited to the promotion of those relations, which it was, and is yet, so desirable to sustain with the aborigines of our country; a people, over whose welfare the government should feel itself particu-

larly bound to exercise the most liberal and parent like agency. Hence, in 1796, an act was passed, under which the existing system of the United States' trade and intercourse was organized, and an appropriation of one hundred and fifty thousand dollars was made to carry it into effect. This system provides for the supplying the Indians with all necessary and useful articles, at such rates as shall preserve the capital from diminution. This act also provides an additional sum of eight thousand dollars, annually, for the payment of agents and clerks, denominated factors, and assistant factors, &c. In 1806, a superintendent of Indian trade, was authorised to be appointed, and the capital increased to \$260,000, and the sum of \$13,000 was annually appropriated for the payment of the superintendent, factors, &c. In the year 1811, the capital was increased to \$300,000, and \$19,250 was annually appropriated for the payment of the superintendent, factors, &c.

From a report made by the superintendent of Indian trade, to the committee on Indian affairs, in the house of representatives, on the 7th of January last, it appears, that, of the \$300,000 appropriated in the year 1811, not more than 290,000 have been drawn from the treasury, from which it is proper to deduct 10,000 on account of debts contracted by the Indians, in their intercourse with the factory then at fort Wilkinson; and which was secured to the United States by the treaty of fort Wilkinson, but has not as yet been paid over to the office of superintendent; also, \$43,369 61 for property destroyed by the enemy during the late war. This would reduce the capital actually employed in the Indian trade, to 256,360 39; the gain appears to be the difference between this amount and 308,855 45, which is 72,225 6.

The several acts now in force require that the factors and assistant factors shall engage in their duties upon fixed salaries, and be debarred from the prosecution of any trade, directly or indirectly, except on the public account, under bond and security, and an oath of office. They also require that semi-annual returns be made of all the transactions of each factory respectively, to the secretary of the treasury, and duplicate accounts to be rendered quarter yearly, one copy to be sent to the superintendent of Indian trade.

It appears, therefore, that this system is as little liable to abuse, as any system could be, which is conducted by public agents, and carried on upon the public account; and notwithstanding the losses occasioned by the enemy, in the late war, and the great embarrassment under which this trade has labored, occasioned by the opposing influence of a great many unprincipled private traders, it has still sustained itself; unless it be proper to tax the trade with the annual disbursements made out of the specific annual appropriations for the pay of the superintendent and agents attached to the factory system. Your committee do not conceive it was intended to be so, for whether the factory system be abolished, or not, agents must still be employed, and paid, in order to keep up a friendly intercourse with the Indians, and to carry into effect that policy which the United States have so long since adopted for the benevolent purpose of civilizing the Indians, and relieving their wants, and rendering their condition more comfortable, by directing their attention to agriculture and domestic manufactures.

Notwithstanding the situation of the Indians upon our borders, has been greatly ameliorated by the present system, yet, owing to the imperfection of

the mode of granting licenses to private traders, the beneficial effects of the system have not been so extensive as they might have been, had the mode of granting those licenses been better regulated; with a view to this end, your committee prepared and presented a bill for the better regulation of the private intercourse with the Indians; which bill has passed the senate, and is now before the house of representatives. Should this bill eventually become a law, it is believed that the trade with the Indians will be placed on a footing better calculated to promote the benevolent intentions of the government towards the Indians, than any other system which is likely to be effected: inasmuch, as it will be in the power of the president of the United States to confine the licenses to those only who can procure recommendations from sources entitled to the highest credit, of their good moral conduct, of their suitable qualifications, and of their ability to carry on a trade calculated to supply the wants of the Indians, and render their situation more comfortable. And the power to revoke the license of such traders as shall not conform to the regulations prescribed by the president, gives to the government such an entire control over the trade carried on by private traders, as to make it subservient to the views of the government, in promoting harmony and tranquility among the the Indians, and gradually improving them in the arts of civilization, and at the same time preventing collisions between the traders themselves, as well as between them and the factories of the United States: and, above all, to prevent the introduction of ardent spirits among the Indians.

The evils resulting from selling or giving whiskey to the Indians are incalculable; a reference to the documents contained in a report which your committee recently made to the senate, on the subject of Indian affairs, furnishes abundant evidence of this lamentable fact.

Adopting the experience of the past, relying on the beneficial effects which, it is believed, will arise from the contemplated law, just alluded to, and judging from the nature of the factory system, your committee are of opinion, that it ought not now to be abandoned. It was commenced, and has been continued, from motives both of prudence and humanity, and, though it may not have fully realized the expectations of its friends, it has, no doubt, produced beneficial effects. If wars have not been entirely prevented by it, they probably, without it, would have been more frequent, and if the Indians have made but little advances in civilization, they probably, without it would have made less. If greater effects have not resulted it is to be attributed, not to a want of dependence on the part of the Indians on commercial supplies, but to defects in our system of intercourse with them. Scarcely any attempts have been made, till lately, to exclude foreigners, and the granting of licenses has not been subject to those checks which are necessary to give to it the most salutary effects.

Your committee, therefore, beg leave to recommend the following resolution:

Resolved, That it is inexpedient to abolish the present system of Indian trade as it is now established by law.

Emigration to the U. States.

FROM THE NATIONAL INTELLIGENCER.

The letter, of which the following is a copy, appears to have been published in a German translation at Augsburg; whence, by a re-translation, it

has appeared in some of the English Gazettes, and from them been extracted into some of the newspapers in this country. In its double transformation it has suffered variations not supposed to be intentional, nor perhaps important, but which render the publication of it proper, as it was written. It has been incorrectly stated to be an answer in the name of the American government. It was indeed written by the secretary of state, as it purports, in answer to an application from an individual and respectable foreigner, who had previously been employed by the baron de Gageru, to collect information concerning the German emigrants to the United States, and to endeavor to obtain encouragements and favors to them from this government. Upon that mission he had been particularly recommended to Mr. Adams, to whom a printed copy of his report to the baron de Gageru had afterwards been transmitted. There are several allusions to the report, in this letter, which was an answer to one from Mr. Furstenwaerther, intimating a disposition to become himself an American citizen; but suggesting that he had offers of advantageous employment in his native country, and enquiring whether, in the event of his settling here, he could expect any official situation in the department of state, or any other under the government.

DEPARTMENT OF STATE,
Washington, 4th June, 1819.

SIR—I had the honor of receiving your letter of the 22d April, enclosing one from your kinsman the baron de Gageru and a copy of your printed report; which I hope and have no doubt will be useful to those of your countrymen in Germany, who may have entertained erroneous ideas, with regard to the results of emigration from Europe to this country.

It was explicitly stated to you, and your report has taken just notice of the statement, that the government of the United States has never adopted any measure to *encourage* or *invite* emigrants from any part of Europe. It has never held out any incitements to induce the subjects of any other sovereign to abandon their own country, to become inhabitants of this. From motives of humanity it has occasionally furnished facilities to emigrants who, having arrived here with views of forming settlements, have specially needed such assistance to carry them into effect. Neither the general government of the union, nor those of the individual states, are ignorant or unobservant of the additional strength and wealth, which accrues to the nation, by the accession of a mass of healthy, industrious, and frugal laborers, nor are they in any manner insensible to the great benefits which this country has derived, and continues to derive, from the influx of such adoptive children from Germany. But there is one principle which pervades all the institutions of this country, and which must always operate as an obstacle to the granting of favors to new comers. This is a land, not of *privileges*, but of *equal rights*.—Privileges are granted by European sovereigns to particular classes of individuals, for purposes of general policy; but the general impression here is that *privileges* granted to one denomination of people, can very seldom be discriminated from erosions of the rights of others. Emigrants from Germany, therefore, or from elsewhere, coming here, are not to expect favors from the governments. They are to expect, if they choose to become citizens, equal rights with those of the natives of the country. They are to expect, if affluent, to possess the means of making their property productive, with moderation, and with safety—if indig-

gent, but industrious, honest, and frugal, the means of obtaining easy and comfortable subsistence for themselves and their families. They come to a life of independence, but to a life of labor—and, if they cannot accommodate themselves to the character, moral, political, and physical, of this country, with all its compensating balances of good and evil, the Atlantic is always open to them to return to the land of their nativity and their fathers. To one thing they must make up their minds, or they will be disappointed in every expectation of happiness as Americans. They must cast off the European skin, never to resume it. They must look forward to their posterity rather than backward to their ancestors;—they must be sure that whatever their own feelings may be, those of their children will cling to the prejudices of this country, and will partake of that proud spirit, not unmingled with disdain, which you have observed is remarkable in the general character of this people, and as perhaps belonging peculiarly to those of German descent, born in this country. That feeling of superiority over other nations which you have noticed, and which has been so offensive to other strangers, who have visited these shores, arises from the consciousness of every individual that, as a member of society, no man in the country is above him; and, exulting in this sentiment, he looks down upon those nations where the mass of the people feel themselves the inferiors of privileged classes, and where men are high or low, according to the accidents of their birth. But hence it is that no government in the world possesses so few means of bestowing favors, as the governments of the United States. The governments are the servants of the people, and are so considered by the people, who place and displace them at their pleasure. They are chosen to manage for short periods the common concerns, and when they cease to give satisfaction, they cease to be employed. If the powers however of the government to do good are restricted, those of doing harm are still more limited. The dependence, in affairs of government, is the reverse of the practice in Europe, instead of the people depending upon their rulers, the rulers, as such, are always dependent upon the good will of the people.

We understand perfectly, that of the multitude of foreigners who yearly flock to our shores, to take up here their abode, none come from affection or regard to a land to which they are total strangers, and with the very language of which those of them who are Germans are generally unacquainted. We know that they come with views, not to our benefit but to their own—not to promote our welfare, but to better their own condition. We expect therefore very few, if any, transplanted countrymen from classes of people who enjoy happiness, ease, or even comfort, in their native climes. The happy and contented remain at home, and it requires an impulse, at least as keen as that of urgent want, to drive a man from the soil of his nativity and the land of his fathers' sepulchres. Of the very few emigrants of more fortunate classes, who ever make the attempt of settling in this country, a principal proportion sicken at the strangeness of our manners, and after a residence, more or less protracted, return to the countries whence they came. There are, doubtless, exceptions, and among the most opulent and the most distinguished of our citizens, we are happy to number individuals who might have enjoyed or acquired wealth and consideration, without resorting to a new country and another hemisphere. We

should take great satisfaction in finding you included in this number, if it should suit your own inclinations, and the prospects of your future life, upon your calculations of your own interest. I regret that it is not in my power to add the inducement which you might perceive in the situation of an officer under the government. All the places in the department to which I belong, allowed by the laws, are filled, nor is there a prospect of an early vacancy in any of them. Whenever such vacancies occur, the applications from natives of the country to fill them, are far more numerous than the offices, and the recommendations in behalf of the candidates so strong and so earnest, that it would seldom be possible, if it would ever be just, to give a preference over them to foreigners. Although, therefore, it would give me sincere pleasure to consider you as one of our future and permanent fellow citizens, I should not do either an act of kindness or of justice to you, in dissuading you from the offers of employment and of honorable services, to which you are called in your native country. With the sincerest wish that you may find them equal and superior to every expectation of advantage that you have formed, or can indulge, in looking to them,

I have the honor to be, sir, your very obedient and humble servant,

JOHN QUINCY ADAMS.

Mr. Morris de Furstenoerther, Philadelphia.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The king has pretty nearly recovered his health. Mr. *Hobhouse* has been liberated in consequence of the prorogation of parliament. The "conspirators" have been tried, and Thistlewood and 6 or 7 others found guilty of high treason: But many persons doubt whether they were really guilty of *that* crime, though perhaps engaged in some unlawful purpose. There is much bustle in preparing for the election of a new parliament, and the contest will be very warm in many places. The counties of Galway, Mayo and Roscommon, in Ireland, are still disturbed by the *ribbon men*—there have been some battles between them and the troops—several of them have been taken and condemned to death, and 200 were to be tried, accused of sedition, murder and robbery.

The new throne in the house of peers, preparing for the opening of the new parliament, will be uncommonly splendid; two hundred persons are now employed in executing the embroidery.

"A man of rank," a brother of a nobleman, has been arrested for forging bills to the amount of 18,000*l*. Gambling transactions are supposed to have led him to this proceeding.

The Exeter theatre has been destroyed by fire—supposed to have been caused by the wadding of some muskets discharged, which lodged among the scenery.

A London paper of March 9, says—Letters from Scotland announce that serious troubles had taken place in the county of Ross, on account of the expulsion of some farmers from the domains of Colerain. Letters from Edinburgh of the 6th, confirm this news and add, the seditious persons, who are about a thousand in number, had been joined by the disbanded military, and have been divided into four parts, who act in concert by certain signals and by the sound of the hunter's horn.

The Liverpool Mercury of the 18th of Feb. says "the earl of Thanet bred a sheep, which was slaugh-

tered at Maidstone about a week ago, when it weighed 13 stone 1 lb. and after being dressed and the bones picked clean, they only weighed 5 lbs. 1 oz.

FRANCE.

A letter from France, dated the 7th of Feb. says—“The city of Rennes, with a population of 40,000, has just refused to government to receive the statue of *gen. Moreau*, which it wished to have placed in one of its public squares. They will not pardon his having fought against his countrymen. The Brittons are yet a high minded people.”

A very *seditious* spirit appears to be prevalent at Marseilles. The public authorities were exceedingly alarmed by placards which were stuck up at public places—800 men, besides the regular patrols, were always under arms passing through the city.

The chamber of peers had been so much alarmed by certain indications in Paris, as to demand a military guard, and by a strange fatality, unwarned by the fate of the Swiss guards in 1792, a regiment of Swiss guards were assigned for the protection of the chamber of peers;—whether the comparison will be carried throughout is yet to be ascertained.

The professors of the Athenæum at Paris, delivered their lectures to a very numerous and brilliant assembly, on the 3d of March. Mr. Viennal deplored in five verses the misfortunes of the Pargoniotes. The most lively applause interrupted him, while he depicted the hideous policy of England, which shackles the commerce of the people, while it defends that of the negroes, and sells a free city to pay its rotten boroughs. The sublime resignation of the inhabitants of Parga, their respect for the remains of their ancestors, their love for the soil of their country, in fine, their departure, and their grief are nobly related by M. Viennal. These verses have merited the suffrages which they have received.

The Paris editor adds—“We seize this opportunity to recal to the friends of independence and of humanity, that a subscription has been opened in favor of the Pargoniotes, who are suffering in the different countries of Europe. It will be glorious for France to repair the injustice of the English government, and to restore a country to the inhabitants of Parga.”

The following law has passed the two houses of the French legislature, by small majorities—[Translated for the Franklin Gazette.]

Art. 1. Every individual who, by speeches, writings or threats, or by any act whatever, shall have made himself liable to be *charged*,* (*inculpated*) with an attempt, plot or proposition of a plot, against the king's life or person, or against the life or person of the members of the royal family, may be arrested and detained on the notification of a warrant of the council of ministers, signed by three ministers at least, and of which a copy shall be left with him.

Art. 2. Every person so arrested shall be immediately carried to the house of arrest, [gaol] of the tribunal of the district where he resides, or of that where the facts took place, which gave rise to his *inculpation*.

The gaoler or keeper shall, within 24 hours after receiving the prisoner, give a copy of the warrant

*In the text of the law as proposed by the king, the word made use of was *prevenu* (charged or accused). The house of deputies substituted to it the word *inculpated*, (*inculpe*) which is not less ambiguous than the former.

of arrestation to the king's attorney, who on his part shall be bound to transmit it to the attorney general of the royal court,* to which that of his district is subordinate.

†This magistrate (the king's attorney) shall be bound, within a fortnight after receiving that warrant, to examine by himself, or one of his deputies, the party under arrest, as well on such facts as may be within his own personal knowledge, as on the documents which the minister shall transmit to him.

He shall commit the examination to writing and shall receive from the party examined, all memorials, statements, demands or requests in writing, and all other documents that he may offer,† and transmit the whole within twenty four hours to the minister of justice, who shall report them to the council of ministers.

Art. 3. The said report, as well as the decision of the council (of ministers), either to send the party accused to be tried by the competent judges, or to set him at liberty, giving him a statement in writing of the causes of his arrestation, shall take place within three months at farthest, after the transmission of the documents to the minister of justice by the attorney general as abovementioned.

Art. 4. The ministry shall be bound to lay before the two houses of the legislature, at their next session, a list or statement of all the persons arrested by their order; and to add thereto a report of what shall have been done in execution of the present law, which shall cease, *pleue jure*, to be in force during the next session.

It was understood, say the editors of the Gazette, that the law for establishing licenses of newspapers and periodical journals, and that for altering the mode of elections to the legislature, would likewise pass by the same majority. The object of the last law is to make the legislature of France a quinquennial, some say a septennial parliament. By the charter, the house of deputies is removed by one fifth every year.

The periodical paper called the *Minerva*, edited by the celebrated writers *Benjamin Constant* and *M. Jouy*, author of the elegant classical works, the *Hermit of the Chaussee d'Antin*, and various dramatic pieces of highly liberal character, and some other distinguished literary men, the editors, take leave of the public, declaring that their labors can no longer be of service to their country, and that they must commit the future prosperity of France to that Providence which, under all her vicissitudes, had raised her above the conspirations of external, and the perfidy of internal enemies.

A revolution *contra* to the Bourbons was expected to be the inevitable result of these transactions. The British government was believed to be at the bottom of these events; or, in other words, the *holy alliance* have resolved to prostrate the freedom of the press, and declared that while the press was free, thrones must be insecure.

CHAMBER OF DEPUTIES. Extract from the debates—Paris, March 14, 1820.

Mr. La Fayette. “It is now thirty three years

*The royal courts are superior courts and have an attorney general; the inferior courts have only a king's attorney.

†But no counsel or attorney is to be allowed to him. A motion to allow him counsel was made in the house of deputies and rejected. A motion to permit his wife or nearest friends to have access to him, even on condition of sharing his confinement to the end, met with the same fate.

since, in the assembly of notables, I first called for the abolition of *Lettres de Cachet*; I vote to-day against the re-establishment of them."

Minister of foreign affairs. "I ask for arbitrary power; it is for a great purpose, and from a striking necessity that it is asked. To call for the suspension of liberty is a testimony of respect for that liberty. The prevailing opinions and maxims, are the accomplices of the assassin Louvel."

General Foy rushes to the tribune. "Do you believe, gentlemen, that if France had not been under the yoke of foreign bayonets, we, Frenchmen, could have endured that a handful of miserable wretches, whom we saw prostrate in the dust for 30 years"—(general rising on the right—the ministerial quarter of the chamber.)

Mr. Corday exclaimed to the orator, "You are an insolent fellow" (movement of indignation in the assembly.)

The president called the member to order—*General Foy* continued. "Yes, gentlemen, this party has prevailed only by means of a foreign power.—Such excesses as they have committed could only have taken place with the aid and protection of foreign bayonets."

Mr. Benjamin Constant, addressing the ministers, "Gentlemen, you are going to wrest from us our personal liberty: you are about to stifle the freedom of the press: you are about to exclude from this hall, by privileged elections, the defenders of the people. We might say to you, what some captives said to *Tiberius*: 'Those who address you, are on the point of death. Let us speak freely.'"

Mr. Manuel. "The ministers present to us their present law of imprisonment, as one which we ought to adopt with blind confidence. But are we to give our confidence to ministers belonging to a party, thirsting for vengeance: a faction which they themselves have denounced heretofore as the enemies of liberty." (Deep murmurs to the right. Many members start up and gesticulate violently.)

Mr. Casile-Bajac rushed to the tribune and exclaimed furiously, "let order prevail. *Mr. Manuel* has been making personal attacks upon a great part of this assembly—Let the dignity of this assembly be maintained" (Cries continue to issue from the right. The tumult is at its height. The president (speaker) rings his bell, and proclaims that *Mr. Manuel* is entitled to explain.)

Mr. Manuel—"I repeat that the party in question wishes that which is contrary to liberty—(several voices from the right) we are, then, enemies to liberty—yes, yes, (from the left—confusion and tumult recommence) *Mr. Manuel* proceeds—"I retract nothing—I repeat that the party is hostile to liberty." (Bravoes from the left, indignant cries from the right.) *Mr. Casile Bajac* rushes forward—the president requests him to retire, &c. &c.

Mr. Benjamin Constant—"I ask whether ministers will have the right of keeping those, whom they arrest, in secret confinement. This question is important, because the citizen may emerge from this dreadful state entirely deprived of his reason. We have had a signal example of this. A general, who had rendered the greatest services to his country and might still render them, left his prison insane, after being three months secretly immured, and is still in that condition. Moreover, will ministers be obliged to bring to trial, at the end of three months, those whom they will have arrested? The expectation of such trial would diminish the number of arrests; then they might not amount to more than five, six, or ten thousand." (Murmurs in the centre.)

Mr. de Courcelles from his place. "They went as far as sixty thousand in 1815."

Mr. Demarcay. "Let the ministers see to what such maxims as their's lead. Cast a glance beyond the Pyrenees: madmen! you wish to bring us to that condition from which the Spaniards are now endeavoring to extricate themselves. Your intentions are confessed; your counsels would be those which will probably destroy Ferdinand VII."

Mr. Puymourin. "The law of imprisonment is essential for the preservation of the dynasty. The plots of the tenth of August brought about the subversion of the throne and the death of Louis XVI. If this unfortunate monarch had been able to employ a preventive law, our annals would not be stained with his blood. We are in the same circumstances as in 1792. An open conspiracy was then carried on against Louis XVI; as at present against Louis XVIII. There is a conspiracy against all the thrones of Europe, and it is at Paris that its governing committee is established."

General Subastiani. "If I believed, gentlemen, that arbitrary government would preserve the reigning dynasty from real dangers, I would not hesitate to vote for it. But I entertain a very different opinion. I have resided in a country, (Turkey) where arbitrary rule is in all its beauty—in all its plenitude. There newspapers do not pervert the public mind; justice is summary; the march of the government is not impeded by constitutional clogs; and, nevertheless, I have seen in the course of two years, eleven ministers perish by popular convulsion, and what is still more serious, two sovereigns." (Lively sensation in the assembly.)

Mr. Courvoisier. "We are told by ministers of a conspiracy. They speak of a flagrant conspiracy against the dynasty of the Bourbons. Gentlemen, if such a conspiracy exists, it must be confined to a small number of factious desperadoes. I do not deny that the fall of the last government has left much unsatisfied ambition, and that some persons cherish guilty hopes of its re-establishment: but these hopes are not those of the nation. The fears that are suggested are altogether chimerical. How can we believe that this nation will adopt projects looking to the return of Bonaparte. Do you believe that Frenchmen have forgotten, that under his dominion no citizen was master of his own person, of his property, or of his children; and that our blood was every day squandered by ambition. What France has really to dread is the return of 1815." (cries from the right of ah! ah!) *A member.* "We were expecting that." *Another member.* "France dreads the 20th of March."

Mr. Courvoisier again. "If France could dread an other 20th of March, it would be because it is attempted to revive the causes of the crisis."

The Bourbons. Without reference to the branches of the Bourbons which reign in Spain and the Two Sicilies, there are three branches of them in France, viz: that of the reigning family—that of Orleans, and that of Bourbon Conde; and of these branches there are now living the following heirs, apparent or presumptive, of the crown:

- | | |
|--|---------|
| 1. Louis 18th, the king | aged 65 |
| 2. Monsieur the king's brother | 63 |
| 3. Duke d'Angouleme, brother of the murdered duke of Berri | 45 |
| 4. Duke of Orleans | 47 |
| 5. Duke de Chartres | 10 |
| 6. Duke de Nemours | 6 |
| 7. Prince of Conde | 64 |

The duchess of Berri is, also, in a situation which may produce another heir to the throne.

NETHERLANDS.

Hague, Feb. 15. At the present sitting of the two houses of the states general, the ministers of finance declared that the national debt of the kingdom amounted to (1,180,000,000) one thousand one hundred and eighty millions of guilders, which debt would be liquidated by regular payments, in *eighty four years*.

GERMANY.

It is expected that there will be a great emigration from Germany to the United States, in the present year, and of persons in easy circumstances.

Several more newspapers have been suppressed, "as dangerous to the peace of Germany."

The emperor of Austria is encouraging several measures to do away the distinction which exist between the Jews and the rest of his subjects.

The news of the abolition of feudal servitude in the states of the grand duke of Schwerin, have caused universal joy at Frankfort, and even in Prussia and Germany, where the accounts have reached.

The minister of war of the kingdom of Wurtemberg, has presented to the chamber, a project of a law for raising 4,300 *conscripts*, out of the class of young men born in 1799.

There is still a great excitement throughout Germany about supposed conspiracies among the students of the universities. A number of letters, as if written by them, and found when their papers were seized, have been published. The following are specimens of them.

"Truly", writes one of these scholars, "we let ourselves be treated like beasts of burden, and the slaves of kings push us into the track of obedience. But what can young men like us do, when men of mature age lose courage. The world seems too weak to look upon the celestial image of liberty; a small number of men exist for it only; but the greater number are only the valets of princes; and of shameful intrigues. Generous Germany, where is thy Arminius? Where shall we find a free man? If we had even mothers who were truly German, they would show us our chains, and would force us in arms to the contest for our liberty, our honor and our rights."

Another says in a letter to a friend:—"You write us concerning the princes and the open hatred that is borne to them—I partake your opinion—the princes and lords of our time would banish the spirit of truth, for every kind of liberty is hateful to them. Princes and truth can never well agree together, as we see sufficiently from the intrigues of their valets."

By private accounts just received in Baltimore, we learn that a dreadful fire has raged in *Ulsar*, in the province of Gottingen, in the Hanoverian dominions, in which between six and seven hundred houses were destroyed, together with the celebrated *Old Church*, of that place, reported to have been built about the year 872. So general was the conflagration, that scarcely a vestige of that ancient place remains. The old court or state house is totally destroyed, which was, some centuries since, dilapidated by fire and rebuilt in the year 1400. This building, in comparison with many private dwellings, was a specimen of modern architecture; and the destruction of this town may be fairly considered a serious loss to those who venerate antiquity, and who associate with ruins like these, the memory of better and less degenerate days.

Fed. Rep.

Vienna, Feb. 20. The deputies of the society of German merchants and manufacturers have address-

ed a long memorial to the emperor of Austria, to show the advantages that would accrue to his majesty's dominions, as well as Germany in general, by the establishment of heavy duties, to be levied on the frontiers upon all foreign goods, and the abolition of tolls, &c. in the interior of the German confederation. They think that the importation of the manufactures of France and England, &c. might be wholly prevented, whereas they are now smuggled in such quantities that prohibitions only injure the subjects of the state; for, while the home manufacturers derive but little advantage from them, the subjects of his majesty must pay the premium paid for smuggling, it being notorious that there are, on all the frontiers, insurance companies against loss by smuggling.

PRUSSIA.

An article in the Ghent Journal, describes the king of Prussia as being very melancholy and almost incapable of transacting business.

ITALY..

It is rumored that the pope is alarmed with the progress of the Jesuits. A Paris paper, however, doubts the truth of the report.

In January last, a peasant woman, near Rome, at the age of 61 years and 14 days, became the mother of twins, a boy and girl.

Naples, Jan. 22.—On the 20th inst. sixty five domiciled monks re entered their convent in this city. There are now only fourteen convents of this order in our kingdom.

Rome, Jan. 19. The unusual phenomenon of a heavy fall of snow has taken place here, which remained three days on the roofs and in the streets. The courts of justice and the schools, according to the established practice, in the like cases, were shut up, and the bells of the capitol were not rung.

RUSSIA.

It is reported that an attempt has been made on the life of Alexander, by which he was wounded in the arm in warding off the blow. No particulars given.

A very large Russian army has entered Poland in three divisions, which are to be formed into camps of discipline on the lower Vistula and the Gallician frontier.

At supper lately given by the emperor of Russia, silver vases, weighing *six hundred and eighty pounds*, were placed on the table.

From Petersburg, under date of Jan. 19, we learn that several *wolves*, driven in by hunger and cold, had penetrated the suburbs of the city. They had destroyed several people in the adjacent villages.

BARBARY POWERS.

The prime minister of the emperor of Morocco was assassinated in December last. He appears to have been a very bad man, and his death gave general satisfaction. His rapacity and tyranny had caused a formidable rebellion, which was not quelled at the date of our last accounts.

NEW HOLLAND.

The bank of Sydney, New South Wales, up to July, 1819, had loaned about 500,000 dollars—the payments to it had been punctually made, and the semi-annual dividend was 12 per cent.

London paper.

WEST INDIES.

It is very sickly at Havanna—strangers commonly die in 48 hours after being affected.

The report of an insurrection of the blacks at St. Jago de Cuba is contradicted. The troops were sent there to protect the place against *Jury's* privateers.

Emigration to Porto Rico, a beautiful island, is strongly encouraged by the local authorities there.

The whole of the city of Ponce, in Porto Rico, except one church, was destroyed by fire, on the 27th of February.

Two persons, pretending to be commissioned by the republic of New Mexico, have been hung at Nassau, N. P. as pirates.

The infernal trade. 1276 slaves were landed at Havana from the 3rd to the 8th of April last. "It appears from the most accurate accounts, that there have been imported from Africa to the Havana, from the year 1790 to 1815, one hundred and fifty-nine thousand seven hundred and thirty one slaves. In 1816, seventeen thousand seven hundred and twenty two, and in 1817, twenty five thousand five hundred and sixty."

Kingston, Jam. March 18. "The United States brig of war *Enterprise*, of 10 guns, Lt. Kearney, from a cruise in the Gulf of Mexico, anchored at Port Royal yesterday. She gave fort Charles a salute of 13 guns, which was returned with the like number.

SOUTH AMERICA.

A "grand expedition" sailed from Margaritta, on the 9th of March—18 sail of vessels, with 1500 of D'Evereux's legion on board, supposed to be intended to attack Lagaira, St. Martha or Maraycabo. A strong royal squadron appeared off Margaritta two days after the expedition sailed.

It is stated that 600,000 dollars, in specie, have reached Angostura from New Granada. There are many reports from the Maine, but no event of note is mentioned in a way to be relied upon. A decisive battle was again daily expected.

By way of Jamaica, we have late news over-land from the Pacific. It is said, that in January last the Macedonian frigate arrived at Panama from Lima, with 500,000 dollars, on account of Spanish merchants—and that the British frigate *Andromache* was also at Calao, taking in specie. It was believed that a ship, with 300,000 dollars, had been captured by Lord Cochrane, who has also seized a privateer under Buenos Ayrean colors, for having committed acts of piracy.

By the arrival of the *Constellation* frigate at Norfolk, we learn that Artigas had met with a severe defeat from the Portuguese, whose territory had been invaded by one of his corps—that the troops of Entre Rios and Santa Fee, under gen. Ramirez, had attacked those of Buenos Ayres, under the director, and defeated them—and occupied a position within 22 leagues of Buenos Ayres.

Several of the provinces had formed separate provincial governments—with a view to confederation when the political storm was over. Pueyrredon, with the secretary of state, Mr. Fagle, it is said, has fled to the Portuguese at Monte Video, carrying off a million of dollars in doubloons. The whole vice-royalty was supposed to contain 2,000,000 of souls—and it was hoped that the commotions would tend to the lasting benefit of the country.

The Carreras are reported to be placed at the head of the government of Chili.

"The political affairs of the province of Buenos Ayres were in a confused state.—The government was, in fact, dissolved. An effort had been previously made by the congress and director (ad interim) to negotiate with gen. Ramirez, and had, for that purpose, chosen deputies; but he refused to recognize the authority of the congress, or to treat with the deputies, declaring however, that if the people would appoint a new set of rulers, free of the influence of Pueyrredon, he was ready to treat

with them. Twelve electors had been appointed of persons of great probity and credit, who had re-elected the Cabildo, and had chosen Don Manuel de Sarratea governor of the province, and negotiations were to be immediately entered into with Ramirez. Already friendly communications had passed between the present commander of the Buenos Ayrean troops, general Estanislao Soler, and general Ramirez. The constitution will be revised, and it is expected, a federative government established, which has long been the wish of the other provinces; but some time will elapse before the political commotions in that part of South America will be settled, or the people become qualified to appreciate the blessings of rational liberty.

"It would appear that this civil war has been rather a personal one of *Pueyrredon*; he co-operating with the Portuguese to annihilate Artigas, who is defending the country against the unjust encroachments of the Portuguese, into the territory called the "Banda Oriental," which, for many years, they have been desirous of possessing."

Artigas' power is said to be as usual—the Portuguese were in quiet possession of Monte Video and Maltonado. San Martin was desirous of retiring from the army, but leave had been refused. Ramirez's army is composed chiefly of those persons who are called Montineros, and was 3000 strong.

CONGRESS.

The following were the yeas and nays in the house of representatives, on the passage of the bill to change the mode of disposing of the public lands—on the 20th inst.

YEAS—Messrs. Abbott, Adams, Alexander, Allen, of Mass. Anderson, Archer, of Md. Baker, Bakiwin, Barbout, Bateman, Bayly, Becher, Boden, Brush, Buffum, Campbell, Case, Claggett, Clark, Cobb, Crafts, Crawford, Culbreth, Cushman, Cuthbert, Darlington, Davidson, Dennison, Dwight, Dickinson, Downe, Earl, Eddy, Edwards, of Conn. Edwards, of N. C. Fay, Fisher, Floyd, Foster, Foot, Forrest, Fuller, Fullerton, Garmitt, Graves, of N. Y. Green, of Penn. Hall, of N. Y. Hall, of Del. Hall, of N. C. Hardin, Hazard, Humphill, Herrick, Hibbard, Hiestor, Hill, Holmes, Hooks, Hostetter, Kendall, Kinsey, Little, Linn, Livermore, Lyman, McCoy, McLane, of Del. Mallery, Marchand, Mason, Merch, Meigs, Mercer, R. Moore, S. Moore, Mosell, Morton, Moseley, Murray, Neale, Nelson, of Mass. Newton, Overstreet, Parker, of Mass. Parker, of Va. Patterson, Phelps, Phinson, Pinkney, Pinball, Pitcher, Plumer, Rankin, Reed, Rhea, Rich, Richards, Richmond, Robertson, Rogers, Ross, Sampson, Sawyer, Sergeant, Settle, Shaw, Silbree, Simkins, Sloan, Stocumb, Smith, N. J. Smith, Md. Smith, N. C. B. Smith, Va. Southard, Storrs, Strong, N. Y. Swearingen, Tarr, Taylor, Tomlinson, Tompkins, Tracy, Tucker, of S. C. Tyler, Van Rensselaer, Wallace, Wendover, Williams, of Va. Williams, of N. C. Wood—133.

NAYS—Messrs. Allen, of Tenn. Ball, Blount—Id. Brown, Bryan, Burwell, Butler, Lun. Cannon, Cook, Crowell, Ford, Mackley, Hendricks, Hill, Johnson, Jones, of Tenn. McCrary, McLane, of Ky. Metcalf, Stevens, Trimble, Tucker, of Va. Walker—23.

Mr. Clay, ("speaker," whose vote is not recorded,) twice addressed the house in opposition to the bill, whilst it was before a committee of the whole.

IN THE SENATE.

April 20. A number of bills were read and variously disposed of.

The senate resumed the consideration of the bill granting certain privileges to the Ocean steam ship company of New York, and, no amendment being offered to the bill, the question was taken on ordering it to a third reading, and decided in the negative—ayes, 11 noes 12.

So the bill was rejected.

The senate took up, in committee of the whole, Mr. King, of Alabama, in the chair, the bill "to authorize the appointment of certain commissioners to lay out the roads and canals therein mentioned," which was reported from the committee on roads

and canals by Mr. King, of New York, on the 4th inst. to which committee had been referred the memorials on the subject, from the legislatures of Ohio, Indiana, Illinois, &c.

[The bill provides for the survey and location of a road, to continue or extend the "Cumberland road" from Wheeling, on the Ohio, to a point on the left bank of the Mississippi, and to appoint commissioners to have surveys made of the most practicable routes for canals between the Raritan and the Delaware, and the latter and the Chesapeake.]

A motion to postpone the bill indefinitely, was negatived as follows:

YEAS—Messrs. Barbour, Brown, Burrill, Eaton, Elliot, Gaillard, Johnson of Louisiana, King of Alabama, Leake, Macen, Mellen, Morrill, Otis, Palmer, Pleasants, Smith, Walker of Alabama, Walker of Georgia, Williams of Tenn.—19

NAYS—Messrs. Dana, Dickerson, Edwards, Horsey, Hunter, Johnson of Kentucky, King of New York, Lanman, Lowrie, Noble, Parrott, Roberts, Ruggles, Sanford, Stokes, Taylor, Thomas, Trimble, Van Dyke, Williams of Miss. Wilson—21.

April 21. The president communicated the report of the secretary of the treasury on the petition of John M. Chapron and others, French emigrants, engaged in cultivating the vine and olive in Alabama, adverse to any relaxation of the act authorizing the grants to them.

[The lands granted in Alabama "for the encouragement of the cultivation of the vine and olive" were held jointly responsible for the payment that was to be made to the U. S. on account of them, until the whole debt was settled. The object of the petitioners was to relieve themselves of this general responsibility—and to have the act changed so that each person might obtain a patent, on paying for particular lots or tracts. We have oftentimes heard that this grant has been abused, and it is well that a new door has not been opened to further speculation. Ed. Rco.]

The bill respecting the Ocean steam-boat company, was re-considered, and ordered to be engrossed for a third reading, after being amended—ayes 20.

The bill to establish a uniform mode of discipline, and field exercise for the militia of the U. States, was received from the house of representatives; twice read and referred.

The senate next took up the bill from the other house, "in addition to the several acts for the establishment and regulation of the treasury, war, and navy departments," respecting transfers of appropriations, and carrying surpluses of appropriations to the sinking fund—ordered to be read a third time.

A message was received from the president of the United States, by the hands of Mr. Daniel Brent, of the department of state, transmitting from the secretary of state, copies of the correspondence between the ministers or agents of the U. States, and the ministers or government of Sweden, relative to the seizures, sequestration, or confiscation, of the ships or other property of the citizens of the U. States, under the authority of Sweden.

Several private bills were passed this day, and several others partially acted upon.

April 24. Mr. Horsey, from the committee, reported a substitute by way of amendment to the bill respecting the charters of the banks in the district of Columbia—extending the charters of those that now pay specie until the 1st of Jan. 1822. Made the order for Wednesday next.

The following resolutions, submitted by Mr. Morrill on the 21st inst. were taken up for consideration.

Resolved, That the practice of duelling is inhuman, immoral and censurable.

Resolved, That the president of the United States would be justifiable in striking from the rolls of the army and navy, the names of all persons thereon, who have been or hereafter may be, directly or indirectly engaged in a duel, or who may have been or hereafter may be, in any way or manner, accessory thereto.

After some speaking the resolutions were laid upon the table.

Several bills were passed—that to authorise the heirs of W. and G. Winter, to file a bill, &c. was re-committed.

The bills from the other house, in addition to the acts for the establishment and regulation of the executive departments, and for the relief of John Steele, were severally read the third time, passed, and returned to the other house.

The bill to authorise the appointment of commissioners for laying out a road from Wheeling to the Mississippi, by the seats of government of Ohio, Indiana, and Illinois, (being a continuation of the Cumberland road,) and for surveying and marking out the course of certain canals, between the Chesapeake and Delaware bays, and the Rariton, &c. was taken up in committee of the whole, Mr. King, of Alabama, in the chair.

After debate, this bill was re-committed.

The bill to amend the judicial system of the U. S. was postponed to a day beyond the session—or, in other words, rejected.

The senate spent considerable time on the bill from the house, supplementary to the revolutionary pension act of March, 18, 1818—but no question affecting it was taken.

April 25. Mr. Mellen submitted the following resolution for consideration:

Resolved, That the committee of foreign relations be instructed to enquire what measures it may be expedient for congress to adopt respecting the importation of plaster of Paris from the province of New Brunswick, in consequence of a duty lately imposed by its legislature on the exportation of that article from certain parts of said province.

Mr. Rufus King, from the committee on roads and canals, to whom the bill on that subject was yesterday recommitted, reported two bills, in lieu of the bill recommitted—the first providing for the appointment of commissioners for surveying, the road from Wheeling to the Mississippi; the second for the appointment of commissioners for surveying and designating a route for canals to connect the Chesapeake and Delaware, the Rariton and the Delaware, &c. which were read.

The senate, on motion of Mr. Dickerson, resumed the consideration of the bill to continue in force the act to protect the commerce of the United States, and to make further provision for punishing the crime of piracy; and the bill was ordered to be engrossed for a third reading.

The bill in addition to the act respecting revolutionary pensions, was, after much debate and several proposed amendments, ordered to be read a third time (exactly in the shape in which it came from the house of representatives) by the following vote—

YEAS—Messrs. Barbour, Brown, Eaton, Edwards, Elliott, Gaillard, Horsey, Johnson, of Lou. King, of Alab. Leake, Logan, Macon, Noble, Pleasants, Roberts, Smith, Stokes, Taylor, Thomas, Trimble,

Walker, of Alab. Walker, of Geo. Williams, of Miss. Williams, of Ten.—24.

NAYS—Messrs. Burrill, Dana, Dickerson, Hunter, Johnson, of Ken. King, of N. Y. Lanman, Lowrie, Mellen, Morril, Otis, Parrott, Ruggles, Sanford, Tichenor, Van Dyke, Wilson.—17.

And the senate adjourned.

April 26. Much of this day was spent on the bill from the house to extend the charters of the district banks—after which it was postponed until to-morrow.

The senate took up and agreed to the motion submitted yesterday by Mr. Mellen, respecting the plaster trade with the British colonies.

The engrossed bill to continue in force the act to protect the commerce of the United States and to make further provisions for punishing the crime of piracy; and the bill from the house of representatives in addition to the revolutionary pension act of March 18, 1818, were severally read the third time, and passed, the latter by a vote of 20 to 16. The first named bill was sent to the other house for concurrence—the latter has now passed both houses.

The senate resumed the consideration of the bill to increase the pay of surgeons in the navy.

After considerable debate, this bill was indefinitely postponed—or rejected.

The senate next resumed the consideration of the bill to incorporate the general convention of the Baptist denomination, in the district of Columbia, for evangelical and literary purposes.

This bill also, after some remarks, was postponed indefinitely, or rejected.

The senate took up the bill from the other house for the relief of Christopher Miller, [granting him a tract of land in consideration of a very important and eminently hazardous service performed in the Indian war, under general Wayne, who promised him, on the part of the government, ample recompense for his intrepidity, but though reduced to poverty, he has not applied for any relief until now; and the case is strongly urged to the attention of congress by the legislature of Kentucky.]

The bill was earnestly advocated by Mr. Johnson, of Ky. and by Mr. Barbour, and after some opposition by Messrs. Williams of Miss. Eaton, Lowrie and Roberts, on the ground of the case not coming within any of the principles on which congress had given pensions or donations, and of the inability of the government to reward all cases of meritorious service, where no disability ensued—

The bill was laid on the table; and

The senate went into the consideration of executive business; after which

They adjourned.

HOUSE OF REPRESENTATIVES.

Friday, April 21. The bill to establish an uniform mode of discipline and field exercise for the militia of the United States was read a third time, passed and sent to the senate for concurrence.

Revision of the Tariff.

The house then resolved itself into a committee of the whole, on the bills reported by the committee of manufactures; and the committee determined to take up, first in order, the bill "to regulate the duties on imports and tonnage, and for other purposes"—This bill proposes changes in relation to the duties on goods imported, in the proportions which are denoted in the following table, copied from that compiled and printed for the use of the house of representatives:

A comparative view of the existing tariff of duties on goods imported from foreign countries, as established by the act of 27th April, 1816, entitled "an act to regulate the duties on imports and tonnage," as amended by the act of the 20th of April, 1818, entitled "an act to increase the duties on certain manufactured articles imported into the United States" and that proposed by the bill now depending in the house of representatives of the United States, "to regulate the duties on imports, and for other purposes."

ARTICLES.	OLD TARIFF.	NEW TARIFF	RATE OF ADDITIONAL DUTY.
First class of articles, <i>p. c.</i>	7½	12½	2-3ds
Second	15	20	1-3d
Third	20	25	1-4th
4th & 5th classes, viz:			
Woollen manufactures	25	33	say 1-3d
Cotton and cotton twist, not from India	25	33	
Do. do. from India	25	40	
Linen manufactures	15	25	
Clothing ready made			
Bonnets, hats and caps, of wool, fur, leather, straw, chip or silk	30	40	
Silk manufact's, fr. India	15	30	
Printed books	15	35	
Printed or stained paper, and paper hangings	30	35	
Clocks and time pieces			
Umbrellas, sticks, and apparatus for umbrellas			
Bonnets and caps, not otherwise taxed			
Fans, feathers, flowers, millinery, washes, perfumes,			
Painted floor cloths, oil cloths, mats, salad oil, capers, olives, mustard, sweetmeats, preserves, wafers	30	35	say 1-6a
Manufactures of wood, coarse lace, carriages, and furniture for do.			
Leather, & manufact's of leather, brushes, canes			
Gilt and plated ware	20	35	
Cut glass	30	35	Included in two preceding class*
China, earthen and stone-ware, and crockery	20	35	
Manufactures of marble and alabaster	15	35	
Ale, beer, and porter, in bottles <i>galls</i>	15	20	1-3
Do. do. not in bottles —	10	15	1-2
Allum <i>cwt</i>	2 00	3 00	1-2
Almonds <i>lb</i>	3	4	1-3
Black glass bottles <i>gross</i>	1 44	2 00	1-4
Boots <i>pair</i>	1 50	2 00	1-3
Bristles <i>lb</i>	3	3	free
Playing cards <i>pack</i>	30	35	1-6
Tar'd cables & cordage <i>lb</i>	5	4	1-3
Untarred do. twine and thread	—	4	5
Candles, tallow	—	3	5
wax & spermaceti	—	6	8
China cassia	—	6	10
Cinnamon	—	25	35½

COMPARATIVE VIEW OF TARIFF—CONTINUED.

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ARTICLES.	OLD TARIFF.	NEW TARIFF.	RATE OF ADDIT'NL DUTY.
Cloves <i>lb</i>	25	35	2-5
Cheese	9	9	
Chocolate	3	4	
Cocoa	2	3	1-2
Coal <i>heaped bushel</i>	5	5	
Copperas <i>cwt</i>	1 00	2 00	double
Copper, rods bolts, spikes and nails, and composi- tion do. <i>lb</i>	4	4	
Corks	15 per ct.	15	
Coffee	5	6	1-5
Cotton	3	6	double
Currants	3	4	1-3
Figs	3	4	1-3
Fish, foreign caught <i>qntl</i>	1 00	1 00	
Mackerel <i>bbt</i>	1 50	1 50	
Salmon	2 00	2 00	
All other pickled fish	1 00	1 00	
Window glass, 8 by 10 100 <i>sq. ft.</i>	2 50	3 00	1-5
10 by 12	2 75	3 25	
over 10 by 12	3 25	3 75	
Plain uncut flint glass <i>lb</i>	20 per ct.	10	double
Glue	5	10	
Gunpowder	8	10	1-4
Hemp <i>cwt</i>	1 50	2 50	2-3
Iron and steel wire, not over No. 18 <i>lb</i>	5	5	
over 18	9	9	
Iron in bars and bolts, ex- cept manufactured by rolling <i>cwt</i>	75	1 25	2-3 pr ct.
Iron in sheets, rods and hoops	2 50	3 00	1-5 do
Iron in bars and bolts manufac. by rolling	1 50	2 00	1-3 do
Anchors	2 00	2 00	
Iron in pigs	50	75	1-2 do
Iron castings	75	1 50	double
Spades and shovels <i>each</i>	20 per ct.	25	
Slate & tiles for building, not over 12 in. sq. <i>M</i>		2 00	
12 to 14 do.		3 00	
14 to 16 do.		4 00	
16 to 18 do.		5 00	
18 to 20 do.		6 00	
Paper, folio, quarto, post, pot, cap, crown, &c. <i>lb</i>	30 per ct.	20	
Royal, imperial, &c.		15	
Printing & copper plate		12½	
Other coarse		10	
Screws, of wire <i>groce</i>		8 to 20	
Ginger, rough <i>lb</i>	15=8-10	1 say 2	
ground		4	
preserved		10	
Silk, sewing, and silk and worsted twist	15 per ct.	1 50	
Indigo	15	15	
Lead, in pigs and bars	1	1	
sheets	1	2	
shot, of lead	2	3	1-2 pr ct.
red and white, dry, or in oil	3	4	
Mace	1 00	1 25	1-4 do
Molasses <i>galls</i>	5	10	double
Nails of iron <i>lb</i>	4	5	1-4 pr ct.
Nutmegs	60	75	1-4 do

ARTICLES.	OLD TARIFF.	NEW TARIFF.	RATE OF ADDIT'NL DUTY.
Pepper <i>lb</i>	8	10	1-4 pr ct.
Pimento	6	8	1-3 do
Plums and prunes	3	4	1-3 do
Raisins, in jars or boxes	3	4	1-3 do
all other kinds	2	3	1-2 do
Salt <i>bush. of 56 lb.</i>	20	25	1-4 do
Ochre, dry <i>lb</i>	1 ct.	1	
in oil	1½	1½	
Steel <i>cwt</i>	1 00	1 50	1-2 do
Segars <i>M</i>	2 50	5 00	double
Spirits, fr. grain, 1st prf. 42, 2d 45, 3d 46, 4th 52, 5th 60, over 5th 75	same	same	
from other mate- rials, 1st 38, 2d 38, 3d 42, 4th 48, 5th 57, over 5th 70,	same	same	
Shoes & slippers, silk <i>pair</i>	30	50	1-3
leather	25	50	double
for children	15	25	2-3
Spikes of iron <i>lb</i>	3	4	1-3
Soap	3	4	1-3
Sugar, brown	3	4	
white, clayed and powdered	4	5	1-4
lump	10	12½	
loaf and candy	12	15	
Snuff	12	15	
Tallow	1	1	
Tea, fr. China, in Am. ves- sels, Bohea, F. ships <i>lb</i>	12½	25	double
Souchong, and all other black teas <i>34 lb</i>	25	25	
Hyson skin	28	25	
Imperial, Gunpow- der & Gomee <i>68 lb</i>	50	50	
Hyson & Y. Hys. <i>56 lb</i>	40	40	
Other green <i>38 lb</i>	28	28	
Tobacco, manufac. other than snuff & segars <i>lb</i>	10	10	
Whiting, & Paris white	1	1	
Wines, Madeira, Burgun- dy, Champaign, Rhe- nish, and Tokay <i>galls</i>	1 00		
Sherry, St. Lucar	60		
Lisbon, Oporto, and others of Portugal and Sicily <i>galls</i>	50		
Teneriffe, Fayal and other West. Isles, <i>galls</i>	40		
All other wines	15		
Do. in bottles or cases	30 per ct.		
Russia duck <i>ps</i>	2 00	2 00	
Ravens do.	1 25	1 25	
Hollands do.	2 50	2 50	
Spermaceti oil, of foreign fisheries <i>galls</i>	25	25	
Whale oil	15	15	
Olive oil, in casks	25	25	
Linseed oil	15 per ct. say 16 cts	25	
AD VALOREM.			
Blue vitriol <i>lb</i>		6	
Oil of vitriol		5	
Nitric acid		6	
Muriatic acid		4	
Sugar of lead		6	

The bill having been read through—

Mr. *Baldwin* rose, and delivered a speech of nearly three hours in length, explanatory of the general principles by which the committee had been guided in reporting the bill; and of the grounds of the proposed increase of duties on the several articles of the most importance.

Mr. *Smith*, of Md. rose after Mr. *Baldwin* concluded, and expressed his view of the tariff in general opposition to those of Mr. *Baldwin*, as regards the merits of the system of revenue from imports, but without denying that some of the present duties might require to be increased. He did not, however, go far into the general question, having risen to move an amendment in the following clause:

First. A duty of twelve and a half per centum ad valorem on all dying drugs, and materials for composing dyes, not subject to other rates of duty; gum arabic, gum senegal, saltpetre, jewelry, gold, silver and other watches, and parts of watches; gold and silver lace, embroidery and epaulettes; precious stones, and pearls of all kind, set or not set; Bristol stones or paste work, and all articles composed wholly or chiefly of gold, silver, pearl, and precious stones; and laces, lace veils, lace shawls, or shades, of thread or silk.

The amendment was to strike out the word *twelve*, in the first line, for the purpose of inserting in lieu thereof the word *seven*.

Mr. *Clay*, after paying a high compliment to the ability and substantial character of the speech of Mr. *Baldwin*, said that, until an answer was, to that speech at least, attempted, he should abstain from engaging in the support of the general principles of the bill. At present he only rose to say, that it became the friends of the manufacturing system not to lend themselves with too much facility to alterations proposed in the system which has been reported by the committee of manufactures. That committee had, with a patience and industry never surpassed in this house, prepared and reported a general system. Its provisions were, no doubt, the result of much calculation; and, if the friends of the general features of it listened to every application which should be made to change this or that particular item, the effect would be, that they would lose the whole. Mr. *C.* then made some remarks against this particular motion.

The question was taken on Mr. *Smith's* motion, and decided in the negative without a division.

Mr. *Silabee* moved an amendment to the bill to lessen the rate of duty on coarse cotton manufactures—

Mr. *Smith*, of Md. offered a similar amendment as to linen manufactures—

Mr. *Silabee* moved to reduce the duty on coffee from 6 to 5 cents—

Mr. *Meigs* moved to increase the duty on iron castings—

Mr. *Holmes* moved to reduce the duty on bars and bolts—

Mr. *Meigs* moved to insert a duty on steam machinery—

Mr. *Moseley* moved to vary the duty on paper—

Mr. *Silabee* moved to reduce the duty on molasses—

All of which motions were negatived—not more than 50 members voting for either of them.

Saturday, April 22. Mr. *Bloomfield*, from the committee on revolutionary pensions, made unfavorable reports on the cases of thirty-five petitioners.

Mr. *Pinckney* offered a joint resolution directing the secretary of state to transmit one copy of the journal of the convention, which formed the fede-

ral constitution, to each of the members of that convention, who are now living.

Agreed to *nem. con.* and ordered to a third reading.

Mr. *Smith*, of Maryland, from the committee of ways and means, to which was referred the bill from the senate to provide for the relief of sick and disabled seamen, reported the same with amendments, which were read, and with the bill ordered to lie on the table.

Several bills were twice read and two or three passed—not of general importance.

The house then again resolved itself into a committee of the whole, on the bill to regulate the duties on imports and tonnage.

(Many propositions were offered to amend the bill. They generally failed. Those which succeeded were, to increase the duty on shoes or slippers of prunella, &c.—and to reduce the duty on printed books to 20 per cent. ad val.

The bill having been gone through—

Mr. *Tyler*, of Virginia, moved to strike out the first section of the bill, and was prepared now to go into the remarks which he intended to offer in opposition to the bill, if it were the pleasure of the committee to listen to an argument on its general merits; but, as the committee had been engaged for several hours in a laborious and fatiguing consideration of its detail, he moved that the committee now rise.

The committee then rose, reported progress, and obtained leave to sit again.

Mr. *Newton*, from the committee of commerce, presented to the house a mass of correspondence derived from the executive department, between the ministers of our government, and those of France and England, respecting our trade with the British-American colonies, and the general intercourse between France and the U. States, which was ordered to be printed; and

The house adjourned.

Monday, April 24. Mr. *Wendover* presented a memorial of the American society of the city of New York for the encouragement of domestic manufactures, complaining of the system of credit given for the duties on the importation of foreign manufactures, and of free sales at auction, and praying that the three bills now under discussion in the house of representatives may be passed into laws previous to the termination of the present session of congress.

Mr. *Smith*, of Maryland, presented a petition of sundry inhabitants of the city of Baltimore, praying that measures may be adopted to prevent citizens of the United States from engaging in the business of privateering under the flags of the governments in South America, and that certain ports in the United States be designated in which only cruisers of those governments may be permitted to enter, and that those lying in the waters of the Chesapeake bay may be among those which may be prohibited; which petition was referred to the committee on foreign affairs.

Mr. *Van Rensselaer*, from the committee on military affairs, delivered in a report, looking to a report from the proper department on the subject, to be made at the next session.

The engrossed joint resolution for the distribution, among the surviving members of the convention, of copies of the journal thereof, recently printed, was passed and sent to the senate for concurrence.

On motion of Mr. *Lorandes*, it was

Resolved, That the letter from the secretary of

the navy of the 9th of April, 1820, with the documents which accompanied it, be referred to the committee on naval affairs; and that they be instructed to enquire into the expediency of providing by law that no commander or other officer in the naval service of the United States shall receive on board his vessel any gold, silver, or jewels, without orders from the president of the United States or the navy department; and that no officer, without such orders, shall transport as a passenger any person in the naval or military service of a foreign government engaged in war; and the committee of naval affairs are also instructed to enquire into the expediency of determining by law whether any compensation or freight shall be, in any case, permitted for articles transported in vessels of the United States.

The house then again resolved itself into a committee of the whole, Mr. Taylor in the chair, on the bill to regulate the duties on imports.

A motion to strike out the first section of the bill (to reject it) being under consideration,

Mr. Tyler delivered a speech of about an hour's length in support of this motion.

The committee of the whole then took up the other bill referred to it, by the title of "a bill regulating the payment of duties on merchandise imported, and for other purposes."

[This bill provides that, from and after a certain date, the duties laid on all goods, wares and merchandise, imported into the United States, except dying drugs, and materials for composing dyes, gum arabic, gum senegal, and all other articles used solely for medicinal purposes, cassia, cinnamon, cloves, chocolate, cocoa, coffee, indigo mace, molasses, nutmegs, pepper, pimento, salt, ochre, sugar, tea, shall be paid before a permit shall be granted for landing the same, unless entered for exportation or deposited in public storehouses. On the excepted articles, duties not exceeding 100 dollars in amount to be paid in cash; and, if exceeding that sum, shall be allowed a credit, on one half for three months, and on the other half for six months, except tea, the duties on which are to be payable, in equal payments, at three, six, and nine months.]

Mr. Baldwin explained the general views that had induced the committee to report the bill—Messrs Silsbee and Lowndes opposed it—Mr. Clay advocated the bill. Mr. Lowndes spoke again and Mr. Clay rejoined. Mr. Baldwin was speaking earnestly in favor of the bill, when the alarm of fire induced the committee (at 4 o'clock) to rise, and the house adjourned.

Tuesday, April 25. On motion of Mr. Whitman, it was.

Resolved, That the committee on foreign relations be instructed to enquire into the expediency of imposing a duty on plaster of Paris, imported from certain ports of the province of New Brunswick, to countervail a duty lately imposed by the legislature of that province on that article when exported from certain other parts of the same province.

After other business—

The house then again resolved itself into a committee of the whole, Mr. Taylor in the chair, on the bills concerning the duties on imports and the mode of their collection.

The bill now under consideration, is the bill regulating the payment of duties on merchandise imported, and for other purposes.

The question immediately before the house being on Mr. Silsbee's motion to strike out the first section of the bill,

Mr. Baldwin resumed and concluded the speech which he yesterday began, in support of the principles of the bill.

Mr. Johnson, of Virginia, followed in decided opposition to the bill.

Mr. Whitman spoke next, also in opposition to the bill.

Mr. Trimble then delivered his sentiments in favor of the bill.

All the speeches delivered to day, went into the subject much at large.

There was then some conversation on the propriety of reporting the bill for increasing the duties on imports forthwith, that it might be finally acted on, and, if it passed this house, that it might be before the senate whilst the discussion was going on here on the bill now under consideration, for requiring cash payments on certain duties, and on the other bill before the same committee, for imposing a duty of ten per cent. on the amount of sales at auction. Nothing, however, was finally settled on this head.

Mr. Sergeant has the floor for to-morrow.

The house adjourned at half past 3 o'clock.

Wednesday, April 26. Mr. Southard, from the committee on Indian affairs, to whom was referred an enquiry into the expediency of repealing the act making provision for the civilization of the Indian tribes adjoining our frontier settlements (passed at the last session) reported, that, in their opinion, it is inexpedient at this time to repeal that law. And the report was ordered to lie on the table.

Mr. Silsbee, from the committee on naval affairs, reported, without amendment, the bill from the senate, for authorising the building of a certain number of small vessels of war.

Mr. Anderson, from the land committee, reported, without amendment, the joint resolution, referred to them, for establishing the boundary line between the state of Ohio and all the territory of Michigan. The question being stated on ordering the resolve to be engrossed—

Mr. Brush moved to lay the resolve on the table, desiring time to examine it, not having been, from accident, present when the resolve was first moved. [Agreed to.]

The house again resumed the consideration of the bill to regulate the duties on imports, &c.—Mr. Silsbee's motion to strike out the 1st section of the bill being yet under consideration,

Mr. Alexander, of Virginia, delivered his sentiments in favor of the motion.

Mr. Archer, of Va. followed, also at considerable length, in support of the motion.

Mr. Clay, (speaker) in a speech in support of the bill, occupied the remainder of the usual time of sitting.

When, after explanatory observations between Mr. Clay and Mr. Smith, of Md.

The committee rose; and the house adjourned.

THURSDAY'S PROCEEDINGS.

The senate was occupied nearly all this day about the district banks. Finally the bill, being amended, was ordered to a third reading, and the senate went into the consideration of executive business.

In the house of representatives—several bills were read, &c.

The bill from the senate to establish certain land offices in the state of Alabama, (so amended in this house as to include also Indiana and Illinois) was read a third time, passed and returned to the senate for concurrence in the amendments.

The house then again resolved itself into a committee of the whole, on the bill regulating the duties on imports, Mr. Taylor in the chair.

The question being on the committee's rising and reporting the tariff bill to the house—the debate thereon was resumed—

Mr. Barbour, of Va. delivered a speech of nearly three hours in length against the bill.

Mr. Holmes, of Mass. next delivered a speech of nearly two hours in length, also against the bill.

When the committee rose and reported the bill to the house.

Mr. Hardin moved to postpone the bill indefinitely; and

The house adjourned.

CHRONICLE.

RELATIONS WITH SPAIN.

In consequence of many prevailing reports, we reserved a large part of this sheet to the last moment, to insert an expected message of the president on our relations with Spain; but the *National Intelligencer* of yesterday, (April 28,) is received, and maintains its silence on the subject. It seems, however, to be agreed, that the Spanish minister will be immediately sent home—that he is required to ask conditions, but not empowered, even if they are acceded to, to ratify the treaty. The grants of land made, are to be confirmed, and we are expected to pledge ourselves never to acknowledge the independence of any of the South American colonies! This is adding insult to injury—and gen. Vives, we are told, has leave to go back again—as having no further business here. It is understood that the facts would be communicated to congress by a message, as soon as the documents, &c. can be made out—perhaps, yesterday or to day.

Died, on the 14th inst. in Massachusetts, *Levi Lincoln*, esq. formerly attorney general of the U. S. and more recently lieut. gov. of that state.

— at Norfolk, Va. on the 15th inst. Charles K. Malory, esq. late lieut. gov. of the state of Virginia, and collector of the port of Norfolk at the time of his decease. He was in the 39th year of his age.

The *Constellation* frigate, capt. Morris, arrived at Norfolk on Saturday last, from the Rio de la Plata, by way of the West Indies, having touched at Martinique and St. Thomas, at which latter place she left the John Adams, on the 12th ult.

The *Columbus* 74, had dropped down to Lynhaven bay on Saturday last, and was to proceed for the Mediterranean in a day or two.

The *Cyane* has been recently spoken off Sierra Leone.

The *Franklin* 74, has arrived at New York from the Mediterranean—left the *Guerriere*, Peacock and Spark at Gibraltar, all well.

Connecticut. Election returns.—For Mr. O. Wolcott, governor, 15,738—scattering 4,933. For senators, highest on each list—republican, 15,444; federalist, 13,003. Average republican majority 2,515; last year 1069.

From the *Utica (N. Y.) Patriot*, April 4. "The following remarkable instance of presence of mind and heroic perseverance, almost without parallel, is related by an eye witness:

"On Sunday, the 13th of February last, a Mr. Boulding, his wife, child, sister, and brother-in-law, were returning in a sleigh on the ice, from a visit to a friend, living near the Chippewa Bay, on the St. Lawrence river. They had experienced some

difficulty in getting on to the ice, from the shore; and Mr. B. having wetted his feet, seated himself in the sleigh for the purpose of taking off his stockings, which were wet, giving up the reins to his brother, who, from inattention or ignorance of the road, drove on a place on the ice, where there had recently been an air hole, and which was not yet frozen sufficiently strong to bear; the ice broke under them, and the sleigh upset and sunk, with the two women and child. Mr. B. sprang from the sleigh, while sinking, exclaiming, "We are all lost?" and fortunately reached the firm ice; the young man who was driving was unable to swim, but struggled until he was reached and drawn out of the water by Mr. B. who retained his hold upon the solid ice. This was no sooner accomplished, than Mr. B. throwing off his coat and hat, declared that he would save the others or perish in the attempt; and accordingly plunged into the water in search of those most dear to him.

The first that he found was the child, which grasping, he rose to the surface, and brought it within reach of his brother;—then drawing himself again to the firm ice, he plunged again to the bottom, and finding his wife, rose a second time with her in his arms, but apparently lifeless, leaving her to the care of his brother who was calling aloud for assistance from the shore.—After taking breath for a moment he a third time plunged into the water in search of his sister, whom, after some moments groping on the bottom, he found; but in rising again to the surface, he struck his head against the ice. Sensible of the extreme peril of his situation, and that the current had carried him below the aperture, with a degree of presence of mind seldom equalled, straining every nerve, he redoubled his exertions, and was so fortunate as to again reach the opening, bringing with him the insensible and apparently lifeless body of his sister; both were drawn from the water by the assistance of some persons who had arrived from the shore alarmed by the cries of the brother. They were all carried to a neighboring house, where the women and child were with some difficulty resuscitated. Upon measuring the depth of the water where the sleigh had broken through the ice, it was found to be 14 feet."

Portland, April 18. We have been favored by an arrival yesterday afternoon, with a St. John, (N. B.) paper, of the 12th inst. which contains some new regulations relative to plaster of Paris. By an act passed the 29th March, 1820, it is enacted "that a duty of seven shillings and six pence per ton be paid upon all plaster of Paris imported or brought into the county of Charlotte," in that province. A like duty is also imposed upon all plaster brought into the harbor of the city of St. John. The above duty is exacted within twenty-four hours after the arrival, and before the vessel shall break bulk.

It is also enacted that no plaster of Paris shall be landed or re-shipped in any port or place, westward of Quaco Head, on the north side of the bay of Fundy, excepting the harbor and county above, under the most severe penalty.

From a cursory view of the restrictive measures, which are to continue in force three years, it would appear that our provincial neighbors are willing to begin a work that may not in the end prove so advantageous as they would anticipate, from the extreme caution with which they have guarded the several points.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 10—VOL. VI.] BALTIMORE, MAY 6, 1820. [No. 10—VOL. XVIII. WHOLE No. 452.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The REGISTER is now published at the new four story house, in Water-street, the 3rd door east of South-street, near the Merchants coffee-house, and but a short distance from the old stand.

The derangement caused by a removal of the office, prevented the publication of a supplement this week, which otherwise would have issued, and have contained the Spanish constitution.

Since a late unhappy event, our account of the "affair of the Chesapeake," as recorded in the first volume of the REGISTER, has been very frequently referred to—and, we are sorry to say, found to be essentially defective, in wanting the proceedings of the court martial appointed for the trial of com. Barron. At this late period, we feel it a duty which we owe to our work as a record of facts, to give the proceedings and judgment of that court, which is inserted in the present sheet. The defence of com. B. is yet wanting; but perhaps it is not necessary to a correct understanding of the nature of the unfortunate transaction, and its great length absolutely forbids its publication just now.

The bill to regulate the duties on imports and tonnage—the new tariff bill, reported by Mr. Baldwin, from the committee on manufactures, has passed the house of representatives by a majority of 13 votes. (See the statement below and the proceedings of congress.) We regret to add, at the moment our paper was going to press, that it has been rejected in the senate. See page 183.

The bill in general, was an excellent one, and in most cases would have met the wishes and wants of the people, if enacted into a law—given us all enough to do, and caused money to circulate freely: still there are some articles that were taxed sufficiently high—especially those things which are in common use, and not the product or manufacture of the United States.

Cash payments of duties. The bill reported for this purpose, by the committee on manufactures, has been rejected by the house of representatives—see congressional proceedings.

Auction duties. The bill for laying duties on sales at auction, was refused a third reading, or in other words, rejected, in the house of representatives, by a small majority; but afterwards reconsidered, and passed by a decided vote, five per cent. being substituted for the ten originally proposed.

CANADIAN TARIFF. The following duties on goods imported from the United States, were imposed at the last session of the parliament of Upper Canada: On spirits 1s 6d. per gal. shoes 2s 6d per pair; boots 5s; flour and pork 10s per bbl. beef, 7s 6d; fresh pork, 5s per cwt; salt, 6d per bushel; sole leather, 2d per lb. harness do. 3d; calf skins, or other leather for uppers, 2s per skin; cables and cordage, 2d per lb. nails, 2d; manufactured tobacco, 4d; ad valorem duty, 10 per cent. Free—Pot and peal ashes, staves, sheep, unmanufactured tobacco, personal baggage, travelling horse or horses, carriage or carriages, of subjects or foreigners; flour, pork, and

other provisions, free of duty when brought in for transportation.

To be in force for one year, and until the end of the next session of parliament.

Adjournment of congress. It has been agreed upon by both houses, that congress shall adjourn on the 15th inst.

Relations with Spain. We have received several private letters from Washington, giving various rumors in regard to our relations with Spain. They are contradictory, and do not assert any thing positively. It seems probable, however, that the negotiation has been once broken off, and then resumed at the instance of Mr. Vives, though now, perhaps, broken off again. It is not worth while to give all the reports that have reached us—a message from the president still being daily expected.

In the present state of our information, it would be premature in us to speak on the subject of our relations with Spain: but if Don Vives has been sent out either to fool us or abuse us, we would cut the matter short by sending him home at once, to tell his master that we should redress our own grievances in our own way—by the law of force; right and reason having so long been appealed to in vain.

THIRD READING OF THE NEW TARIFF BILL.

In our notice of the proceedings of congress, (see page 178), we have distributed the gentlemen who voted on this great question into the several states which they represent, and also noted the *absentees*. The following table presents at one view the state of the vote, and may serve many interesting purposes:

STATES	For the bill	Against it	Absent	Total
New Hampshire	—	5	1	6
Massachusetts	10	6	4	20
Rhode Island	2	—	—	2
Connecticut	6	1	—	7
Vermont	1	2	3	6
New-York	25	—	2	27
New-Jersey	6	—	—	6
Pennsylvania	22	1	—	23
Delaware	2	—	—	2
Maryland	1	5	3	9
Virginia	1	15	7	23
North Carolina	1	11	1	13
South Carolina	1	6	2	9
Georgia	—	5	1	6
Kentucky	4	3	2	*10
Tennessee	—	6	—	6
Ohio	6	—	—	6
Louisiana	—	1	—	1
Indiana	1	—	—	1
Illinois	1	—	—	1
Mississippi	—	1	—	1
Alabama	—	1	—	1
	90	69	26	186

In looking over the vote, when distributed into states, the following things appear to be wor-

*Mr. Clay, speaker, did not vote, being in the chair, but decidedly supported the bill.

thy of remark: there was only one vote in favor of the bill from the representations of New Hampshire and Vermont, but half of the delegation from the latter were absent. The first may have been influenced by an idea that the new tariff would affect the business of ship building; but I do not know how to account for the opposition of the representatives from the other. The manufacturing interest prevailed in Massachusetts, Rhode Island, and Connecticut, though opposed by the commercial in the first named of these states. New-York, New-Jersey, Pennsylvania and Delaware, with one exception, unanimously supported the bill—they are grain-growing states, eminently agricultural and commercial, but happily uniting manufactures to those pursuits. All the southern states, including Maryland from what is considered as the great middle district, were almost unanimously opposed to the bill; only four gentlemen from them voting in favor of it. Of the western states, Kentucky was decidedly for it, and Ohio, Indiana and Illinois unanimously so—these are also grain-growing countries, raising a considerable surplus, but also abound with household and other manufactures, as indeed do the western parts of Virginia and North Carolina. Tennessee was unanimous in opposition to the bill, yet much of her wealth and comfort is derived from domestic industry, as applied to manufactures. It seems as if the vast body of the people engaged in raising a surplus of things for the food of man, were on one side, and those chiefly commercial, or giving their attention to the product of tobacco and cotton, on the other, were opposed. The reliance of the former is on the *home market*; the latter looks to a foreign demand. It is believed, also, by the first, that agriculture, manufactures and commerce are best united together—the second is mainly interested in shipping, or in producing commodities for sale abroad; and apprehends that a duty levied on goods imported, operates as a tax directly upon themselves, for the good of the domestic manufacturer. The fact, however, should be recollected, that while by extra tonnage and heavy duties, we have protected the shipping interest of the United States, and given advantages to the growers of cotton and sugar of the most positive character, nothing has hitherto been done to protect the manufacturers, except in a few solitary and insignificant cases. *The duties under the present tariff, were laid for the sole purpose of raising a revenue, for the support of government.* In no instance, not one case perhaps, was the duty upon a manufactured article so high, as European nations impose on those fabricated by us, though they generally exclude them altogether—either to encourage their own industry, or for the sake of an internal excise upon similar things.

It may, however, be noted that the immediate representatives from the great sea-ports of *Boston, New-York, Philadelphia, Baltimore, and Norfolk*, in all eight members, unanimously supported the bill, except Mr. Smith from Baltimore, who was absent when the question on its third reading was taken.

Missouri. The *St. Louis Enquirer* says—"Mr. Niles has expressed a belief that the Missouri state convention will decide against the admission of slavery in Missouri. Several other northern papers have expressed the same belief. Upon what do they bottom this belief? Is there any thing in the wind? Any new "contrivance" to be put in operation."

I do not know any thing of the "contrivance" which the *Enquirer* speaks of, nor why the word should be quoted and marked in Italics. The article out of which the editor of that paper has contrived to make his paragraph is to be found in the present volume, page 25, in which an attempt was made to shew that the progress of the slave population would be checked by the want of an increased demand for the labor of slaves; and in which an opinion was expressed that several slave-holding states, as well from principle as from interest, might be expected to abolish slavery. Speaking of Missouri I said—"they (slaves) cannot easily be profitable in Missouri, and the influx of a free population may soon forbid the further introduction of slaves, even if the constitution now to be formed, shall admit such introduction—whichever there is some reason to hope will not be the case."

Now, here is the *fact* and the *reason* of the matter frankly expressed, without the shadow of a "contrivance," and happy will it be for Missouri if her people, in their wisdom, shall forbid the introduction of slaves, to dishonor labor and check the emigration of those classes of society which are the bone and sinew of every country.

Many articles which have appeared in the *St. Louis Enquirer*, have exhibited a disposition rather to fill up the country with slaves, than maintain the right of the state to permit the holding of them. I am sorry for it: I wish well to Missouri—I am equally the friend of every state and territory in the union, at least so far as to rejoice at the prosperity and mourn for the adversity of any one of them. I wish happiness to abound every where; and roads, canals and bridges made, though they may be supposed to injure particular sections, because they must accomplish a general good. In all the slave-holding states, slavery is admitted to be a great evil—the greatest evil to which they are subject; and yet against this universal testimony, the result of experience, the *Enquirer* is pleased to insinuate the suspicion of a "contrivance," because I expressed a hope that the people of Missouri would profit by an attention to such testimony and experience! This is ungenerous. If I had been a citizen of Missouri, though opposed as I am to the principle and practice of slavery, I would have exerted myself not a little to have had the state admitted without restriction, provided I believed that congress had not a right to impose it. But, on the other hand, having obtained the right contended for as to the new state, I would go quite as far to build up a constitution which should prevent the further introduction of slaves, and provide for the emancipation of the descendants of those introduced before its establishment. I can see a very wide distinction between an honorable contention for a right, and an impolitic exercise of it. I certainly should be disposed to resist an order to walk on the shady side of the street, on a warm summer's day; but having resisted it, would assuredly consult my own health and happiness by walking on that side.

"*The home of the free.*" Notwithstanding the great depression of labor and the distress that so generally exists in the United States, we have much reason to be thankful that so many comforts are left to us, and that the evils which we suffer are within our own power to cure, by a sound economy and discretion—a necessary *revolution*, to be sure, in our manners and habits, and perhaps also some change in our rulers—all which is effecting or in a state of preparation to be effected, by personal exertion in domestic circles, or the magic force of the ballot,

without violence. These are the blessed fruits of our liberal institutions.

Contrast these with the sanguinary *quasi* civil war that rages in Ireland, the insurrection produced by absolute misery in Scotland, and the frequent alarming assemblages and mobs that prevail in England. In the first, the ribband-men, in bodies sometimes 500 strong, overrun whole counties, conflagrating and destroying all opposed to them, prodigal of blood and wasteful of property. In the second, the poor tenantry resist by arms a force sent to expel them from their wretched homes, by the lordly proprietor of the soil—they have no resource, no place to shelter them, and seem resolved to die on the spot on which they were born, rather than leave it, in their miserable circumstances. In the third, where the labor of so many is consumed by the few, a degree of poverty exists among the productive classes which few persons in America have an idea of, as much pressed to live as some of us seem to be—for we have no general apprehension of the severe domestic economy and incessant privation, that belongs to the working people of England. These evils appear irremediable but by a revolution, to be produced by force of arms; for it cannot be expected that those possessed of property and privilege, no matter how acquired, will surrender them without a struggle.

In Ireland, they are hanging the ribband-men by dozens—at the last Essex assizes, in England, twenty-one persons received sentence of death, and at a late sessions at the Old Bailey, sentence of death was passed on 27 prisoners; of transportation for life, on 11; for fourteen years on 30; and for seven years on 62 persons. It is thus in almost all the counties of England. In the present organization of the government and state of trade, it seems absolutely necessary that something should be done to thin the population; and the judges pass sentence of death, or to banish a fellow creature for life, with as little ceremony as they decide common questions at law.

Affair of the Chesapeake.

At a general court martial, assembled on board the United States ship the *Chesapeake*, in the harbor of Norfolk, and state of Virginia, on Monday the fourth day of January, in the year of our Lord one thousand eight hundred and eight, and continued by adjournment from day to day, until Monday the eighth day of February in the same year,

PRESENT.

Capt. John Rodgers, president.
Captains William Bainbridge,
Hugh G. Campbell,
Stephen Decatur, Jun.
and John Shaw.
Masters' Commandants
John Smith,
and David Porter,
Lieuts. Joseph Tarbell,
Jacob Jones,
James Lawrence, and
Charles Ludlow,

Members.

The court, pursuant to an order from the honorable Robert Smith, secretary of the navy of the United States, to captain John Rodgers directed, bearing date on the seventh day of December, in the year of our lord one thousand eight hundred and seven, proceeded (as therein they are directed) to try James Barron, esq. a captain in the navy of the United States, upon the charges in the said war-

rant stated, and therein preferred against him; and having heard all the evidence, and the prisoner's defence, and very maturely and thoroughly considered the same, gave the following

OPINION:

The first charge stated against captain James Barron in the warrant of the hon. secretary of the navy, is in the following words:

"For negligently performing the duty assigned him."

"SPECIFICATION."

1st. "In that he did not visit the frigate *Chesapeake*, during the period she remained in Hampton roads, and before she proceeded to sea, as often as he was in duty bound to do."

2d. "In that when he did visit her, he did not, as it was his bounden duty to do, examine particularly into her state and condition."

In deciding upon this charge, the court will make the following statements—1st. It appears to the court, that captain James Barron did visit the frigate *Chesapeake* twice during the period she remained in Hampton Roads, and before she proceeded to sea, that is, between the 4th and 21st days of June last. And as by the naval regulations, issued by the command of the president of the United States, the number of visits which the commander of a squadron or division, is left to his own discretion, the court is of opinion that captain Barron was made the judge of this subject himself—and seeing in the evidence no reasons existing at that time, to question the proper exercise of his discretion, in this respect the court are of opinion that this specification is not proved.

2d. It does not appear to the court, that when captain James Barron did visit the frigate *Chesapeake*, he examined particularly into her state and condition. But as it has been clearly established by the evidence, that captain James Barron during this period was under the orders of the honorable the secretary of the navy, whereby he was appointed a commodore or commander of a squadron, that by other orders derived from the same source, a master and commandant had been appointed to act as captain of this particular ship, under the said James Barron as commodore, and that this acting captain was then on board the ship, the court are of opinion, that it was not the bounden duty of commodore Barron to examine particularly into her state and condition, and therefore that this second specification is not proved.

The omission to visit the frigate *Chesapeake* during the period she remained in Hampton Roads, and before she proceeded to sea, as often as he was in duty bound to do, and the omission when he did visit her, to examine particularly into her state and condition, being the only circumstances averred in the accusation as establishing this first charge, "for negligently performing the duty assigned him;" and the court being of opinion that he did visit the frigate *Chesapeake* as often as he was in duty bound to do, and that it was not his bounden duty to examine particularly into her state and condition, when he did visit her, must of course decide that captain James Barron is *not guilty* under this first charge, as limited and explained by these specifications.

The second charge against captain Barron stated in the warrant of the honorable secretary of the navy, is in these words:

"For neglect, on the probability of an engagement, to clear his ship for action."

"SPECIFICATION."

1st. "In that certain threats on the part of some commander of a British vessel of war, that he would take by force, if he could not otherwise obtain them, certain men from on board the frigate Chesapeake and that such threats were known to or heard by the said captain James Barron, and still he neglected to clear his ship for action."

2d. "In that there were various indications of a hostile disposition towards the frigate Chesapeake, exhibited by the British ship of war the Leopard, to wit, her putting to sea after certain signals had been seen and noticed by the said James Barron, when there was no other vessel in sight, or any other object to induce her to go to sea but the Chesapeake; the ports of the said ship Leopard were triced up, and her tompions were out a considerable time before she commenced firing upon the Chesapeake; and still, that, notwithstanding these suspicious appearances, which were seen and observed by the said James Barron, he neglected to clear his ship for action."

3d. "In that by various manœuvres which are set forth in the opinion of the court of enquiry hereto annexed, the British ship of war Leopard did manifest an intention to fire upon the said frigate Chesapeake, and still that the said James Barron neglected to clear his ship for action."

4th. "In that the said ship Leopard did approach the said frigate Chesapeake, under all the appearances of being prepared for action, and still the said James Barron neglected to clear his ship for action."

5th. "In that the said James Barron did receive from the commanding officer of the Leopard, a communication clearly intimating that, if certain men were not delivered up to him, he should proceed to use force, and still the said James Barron neglected to clear his ship for action."

6th. "In that the said James Barron did verily believe, from the communication he received from the commanding officer of the said ship Leopard, that the said ship would fire upon the said frigate Chesapeake, or take by force, if they could not be obtained by other means, any British deserters that could be found on board the Chesapeake, and still the said James Barron neglected to clear his ship for action."

In deciding upon this charge the court will make the following statement:

1st. It does not appear to the court, that any threats were ever used on the part of any commander of a British vessel of war, that he would take by force, if he could not otherwise obtain them, certain men from on board the frigate Chesapeake, (except the threats which may be considered as contained in the documents hereafter referred to, and which constituted the subject of another specification.) Of course it does not appear that any other threats were known to or heard by captain James Barron. The court must therefore decide that this first specification is not proved.

2. It appears to the court, that the British ship of war, the Leopard, did put to sea after certain signals had been seen and noticed by capt. James Barron. Whether any other vessel was then in sight of her, or whether she then had any other object to induce her to go to sea but the Chesapeake—it is impossible from the nature of things that this court can now decide, nor is it necessary that they should decide.

It appears to the court also, that the ports of the said ship Leopard were triced up a considerable time before she commenced firing upon the

Chesapeake. But when the court adverts to the relations between Great Britain and the United States at that time, to the situation of the British squadron which had been lying in Chesapeake bay for many months preceding this, and to the state of the wind and weather at this period, the court cannot consider the putting to sea of one of that squadron, in consequence of signals made to her, or the triced up ports of a two decker, in warm weather and a smooth sea, as indications of a hostile disposition towards the frigate Chesapeake, whether any other vessel was in sight at that time or not.

What was the probable object of the Leopard in putting to sea, the history of that day enables the court now to conjecture with some certainty. But at that time, and in her situation, there were such a variety of innocent objects equally probable to be then held in view by her, that this court cannot impute to captain Barron any blame whatsoever for not divining her real intentions at that time.

It appears to the court that the tompions of the Leopard were out some time before she commenced firing on the Chesapeake, and thus the court considers as an indication of a hostile disposition. But it appears to the court also, from the evidence upon this head, that so soon as captain Barron was informed of this fact he ordered his men to quarters, the court are of opinion that no part of this second specification is proved.

3d. This court having heard all the testimony relative to the various manœuvres of the Leopard after she put to sea, must form its opinion from the facts established by this testimony, and not from the opinion of the court of enquiry, on which they do not consider themselves bound in any manner to decide. Judging of these manœuvres from these facts, the court are of opinion, that there were not intentions to fire upon the frigate Chesapeake manifested by the British ship of war Leopard, at any time before an officer of the Leopard was sent on board the Chesapeake; and therefore that this third specification is not proved.

4th. It does not appear to the court, that the said ship Leopard did approach the said frigate Chesapeake, under any of the appearances of being prepared for the action, and therefore the court are of opinion that this fourth specification is not proved.

5th. It appears to the court, that captain James Barron did receive from the commanding officer of the Leopard, a communication clearly intimating, that if certain men were not delivered up to him he should proceed to use force; and that the said James Barron yet neglected to clear his ship for action. The court are therefore of opinion that this fifth specification is fully proved.

6th. It appears to the court from part of the communications of captain James Barron, to the honorable the secretary of the navy, and from the evidence of the witnesses with whom the said James Barron conversed upon the subject, that he did verily believe, from the communication received from the commander of the said ship Leopard, that he would take by force if they could not be obtained by other means, any British deserters that could be found on board the Chesapeake, and still that the said James Barron neglected to clear his ship for action. The court are therefore of opinion that this sixth specification is fully proved.

Part of the facts specified in the accusation as establishing this second charge being thus fully proved, and the court being of opinion that the facts so proved bring of themselves sufficient to support this charge, decide, that the said James Barron is guilty

under this second charge, "for neglecting, on the probability of an engagement, to clear his ship for action."

The third charge against captain James Barron, as stated in the warrant of the honorable the secretary of the navy, is in these words, as follows:

"For failing to encourage in his own person his inferior officers and men to fight courageously."

"SPECIFICATION."

1st. "In that he did not on the first moment of an indication or suspicious appearance of a hostile intention on the part of the ship *Leopard*, order his men to quarters."

2d. "In that he did not, after he was satisfied that an attack upon his ship would be made, use prompt and officer-like measures to prepare his ship for battle."

3d. "In that, when he did order his men to quarters, he did not order them as became an officer of the American navy."

4th. "In that he ordered that the drum should desist from beating, and that the men should be got to quarters secretly, without beat of drum."

5th. "In that, from the manner in which he ordered his men to quarters, he did not evince a determination bravely to defend his ship."

6th. "In that he was not in his station during the attack aforesaid, but remained a considerable time at the gangway as if imploring forbearance."

7th. "In that he drew his men, or some of them, from their guns, to lowering down a boat or boats to send on board the attacking ship, during her attack upon him."

8th. "In that he ordered his first lieutenant from his quarters during the attack, to carry a message on board of the *Leopard*, at that time firing upon him."

9th. "In that during the attack he used language in the presence of his men calculated to dispirit them."

10th. "In that during the attack he ordered his men to keep down, that they would be cut all to pieces."

In deciding upon this charge the court will make the following statement:

1st. It appears to the court that captain James Barron, the first moment after he knew of an indication or suspicious appearance of a hostile intention on the part of the said ship *Leopard*, that is, after he knew her topmasts were out, did order his men to quarters. The court are therefore of opinion, that this first specification is not proved.—This first specification is understood by the court to apply exclusively to the appearances exhibited by the *Leopard*, and not to the letters and communications of her commander before stated, and which constitute the subject of another specification.

2d. It appears to the court, that after capt. James Barron was satisfied that an attack upon his ship would be made, that is, after he received the communication from the commander of the *Leopard* above stated, he did not immediately use any measures to prepare his ship for battle. The court are therefore of opinion, that this second specification is fully proved.

It appears to the court, that when capt. James Barron did order his men to quarters, he ordered them as became an officer of the navy. The orders given upon this occasion are stated in the next specification, and although not such as are most frequently given, yet the situation of his ship at that time was not a common one, and in the orders themselves under the then existing circumstances, or in the manner of giving them, the court see no-

thing to disapprove or censure. The court are therefore of opinion, that this third specification is not proved.

4th. It appears to the court, that captain James Barron did order that his men should be got to quarters secretly, and without beat of drum, which did begin to beat notwithstanding this order, and that thereupon he ordered that the drum should desist from beating. The court are therefore of opinion that this fourth specification is fully proved.

5th. It does not appear to the court that from the manner in which captain James Barron ordered his men to quarters, he did not evince a determination bravely to defend his ship. The court are of opinion that this fifth specification is not proved.

6th. The court are not informed of any particular station assigned to a commander during an engagement. It is generally considered that the most proper place for him is on the upper deck, but he is at liberty to go and ought to go to any place where his presence will be of most importance. It appears to the court, that captain James Barron, never did leave his upper deck during the attack, and the court are of opinion he should not have left it. It does appear to the court that he remained a considerable part of the time during the attack at the gangway, not as if imploring forbearance, but for necessary and proper purposes. The court are therefore of opinion that this sixth specification is not proved.

7th. It does not appear to the court, that capt. James Barron did draw any of his men from their guns to lower down a boat or boats, to send on board the attacking ship, during her attack upon him. The court are therefore of opinion, that this seventh specification is not proved. It does appear to the court that capt. James Barron did draw some of his men from other stations for this purpose, but in this the court sees nothing to criminate capt. Barron, even if it were admissible to do so under this specification.

8th. It does not appear to the court, that capt. James Barron ordered his first lieutenant from his quarters, during the attack to carry a message on board the *Leopard*, at that time firing upon him.—The court are therefore of opinion, that this eighth specification is not proved. As the decision of the court upon this subject, when coupled with some part of the evidence exhibited in this case, proving that Mr. Benjamin Smith, the first lieutenant, was in a boat, may perhaps be calculated to throw some imputation upon the reputation of that young officer, who is now dead, the court take this occasion to express their opinion, that he does not merit any such imputation.

9th. It does not appear to the court, that capt. James Barron did use any language in the presence of his men calculated to dispirit them. The court are therefore of opinion, that this ninth specification is not proved.

10th. It does not appear to the court by satisfactory evidence, that during the attack, capt. James Barron ordered his men to keep down, that they would all be cut to pieces. The court are therefore of opinion, that this tenth and last specification is not proved. The court are satisfied that some such words were uttered, but are also satisfied that the words actually used were of very different import, and were uttered at a time when they could not have produced any improper effect upon the crew.

The only two specifications annexed to this charge, which are proved, are not such as in the opinion of this court establish the proposition, that

the accused "failed to encourage in his own person his inferior officers and men to fight courageously." His not using immediate measures to prepare his ship for battle after he was satisfied an attack upon her would be made, was certainly great neglect of duty, but this does not support any charge against the personal spirit of capt. Barron. His ordering that his men should be got to quarters secretly, without beat of drum, and ordering the drum to desist from beating when it began to beat contrary to his orders, so far from proving him deficient in courage, are considered by the court as strong evidences of his coolness and reflection at that moment. Indeed it would require very strong evidences to satisfy this court, that an officer who exposed himself at an open gangway, under a heavy and close fire, who being wounded still remained on his deck during the whole attack, giving his orders coolly and distinctly, and who neither, by his words, or actions, discouraged his crew or any part of it, could be guilty of this charge. Such the court are satisfied was captain James Barron's conduct and situation and however they may think of his activity or judgment, they feel themselves bound to declare that he is *not guilty* under this third charge, "for failing to encourage in his own person his inferior officers and men to fight courageously."

The fourth and last charge stated in the warrant of the honorable secretary of the navy against capt. James Barron is in these words:*

"SPECIFICATION."

1st. "In that the said ship Leopard did fire upon the said frigate Chesapeake, and the said James Barron did fail suitably to repel said attack."

2d. "In that the said frigate Chesapeake was, by order of the said James Barron, surrendered to the said ship Leopard, at a time when the injuries sustained, either on the frigate or her crew, did not make such surrender then necessary."

3d. "In that the flag of the said frigate Chesapeake was by order of the said James Barron struck to the said ship Leopard, when the guns of the said frigate Chesapeake were loaded."

4th. "In that the flag of the said frigate Chesapeake was by order of the said James Barron, struck to the said ship Leopard, at a time when the main deck battery of the said frigate Chesapeake was in a situation which would have enabled the return of a broadside in a very short time."

5th. "In that the flag of the said frigate Chesapeake was by order of the said James Barron struck to the said ship Leopard, without the said James Barron's having consulted any of his officers, as to whether the flag ought to be struck or not."

6th. "In that the flag of the said frigate Chesapeake was by order of the said James Barron struck to the said ship Leopard, before a single gun of any kind was fired from the said frigate Chesapeake."

In deciding upon this charge the court will make the following statements:

1st. It appears to the court, that the said ship Leopard did fire upon the said frigate Chesapeake, and that her attack was not suitably repelled. The court are therefore of opinion that this first specification is fully proved.

2d. It appears to the court, that the flag of the said frigate Chesapeake was, by order of the said

James Barron struck to the said ship Leopard, at a time when the injuries sustained either on the said frigate or crew did not make such surrender then necessary. The court are therefore of opinion that this second specification is fully proved.

3d. It appears to the court, that the flag of the said frigate Chesapeake was by order of the said James Barron struck to the said ship Leopard; when the guns of the said frigate were all loaded.—The court are therefore of opinion that this third specification is fully proved.

4th. It does not appear to the court, that the main deck battery of the said ship Chesapeake was in a situation which would have enabled the return of a broadside in a very short time after her flag was struck by order of the said James Barron to the said ship Leopard. The court are therefore of opinion that this fourth specification is not proved.

5th. It appears to the court, that the flag of the said frigate Chesapeake was by order of the said James Barron struck to the said ship Leopard, without the said James Barron's having consulted any of his officers, as to whether the flag ought to be struck or not. The court are therefore of opinion that this fifth specification is fully proved.

6th. It appears to the court, that the flag of the said frigate Chesapeake was by order of the said James Barron struck to the said ship Leopard, before a single gun of any kind was fired from the said frigate Chesapeake. The court are therefore of opinion that this sixth and last specification is fully proved.

Although all the specifications annexed to this charge (one only excepted) are fully proved, yet the court are of opinion that those which are proved do not support the charge to which they are annexed. The attack of the Leopard was not suitably repelled by the Chesapeake, because it appears to the court that, circumstanced as the two ships then were, boarding the Leopard would have been impracticable; and of course no other means of repelling her attack remained but in the use of the Chesapeake's guns. That all these were loaded, and not one of them fired before the flag of the Chesapeake was struck is almost certain. But yet it appears to the court, that captain Barron and the officers commanding divisions, did every thing which they could do to get them fired, and that the colours were not struck until all reasonable hope of succeeding in properly repelling the attack in this way was lost. The injuries sustained either in the Chesapeake or her crew, did not at that time make her surrender necessary. Capt. Barron might have waited until she had received many more and greater injuries, had lost the lives and services of many more of her crew, before he could have been compelled by these causes to have struck his flag. But during this interval of certain injury, he could have had no reasonable hope, even after he had sustained it, of doing any thing to the annoyance of his adversary.—And in such a situation he stands justified in the opinion of the court in striking his flag without consulting his officers, and is a circumstance which this court consider of no consequence. It is not the duty of a commander under any circumstances, and in the situation in which captain Barron then was it would have been highly improper, to consult his inferior officers as to the propriety of hauling down his colours. It is the opinion of the court therefore, that captain James Barron is *not guilty* under this fourth and last charge, "for not doing his utmost to take or destroy the Leopard, which vessel it was his duty to encounter," as this charge is

* In the paper from which we copied, this charge is omitted, we believe it to be as follows:

"For not doing his utmost to take or destroy the Leopard, which vessel it was his duty to encounter."

explained and limited by the specifications annexed to it.

In giving these opinions it will be perceived that the court have felt themselves bound to consider the several charges preferred as explained and limited by the specifications annexed to them respectively. The opinion of the court, therefore, upon those charges of which they have acquitted the accused, is to be considered in no other way, than that he is not guilty under these charges as so explained and limited. No transposition of the specifications, or any other modification of the charges themselves, would alter the opinion of the court as to the firmness and courage of the accused. The evidence upon this head is clear and satisfactory.

The court having agreed in the preceding opinions, that captain James Barron, although not guilty of three of the charges preferred against him, is nevertheless guilty under that wherein he is accused "for neglecting on the probability of an engagement to clear his ship for action," do further agree, that the said capt. James Barron, being guilty of this charge, falls under part of the fourth article of the rules and regulations for the government of the navy of the United States, adopted by act of the congress of the United States, passed on the twenty-third day of April, in the year of our Lord one thousand eight hundred, and entitled "An act for the better government of the navy of the United States," and they do adjudge and sentence the said captain James Barron to be suspended from all command in the navy of the United States, and this without pay or official emoluments, of any kind, for the period and term of five years from this eighth day of February, in the year of our Lord one thousand eight hundred and eight.

JOHN RODGERS,
WM. BAINBRIDGE,
HUGH G. CAMPBELL,
STEPHEN DECATUR, jun.
JOHN SHAW,
JOHN SMITH,
D. PORTER,
JOS. TARBELL,
J. JONES,
JAS. LAWRENCE,
CHARLES LUDLOW.

LITTS. W. TAZEWELL, *judge advocate.*

The above sentence was confirmed by the president of the United States.

Foreign Articles.

GREAT BRITAIN AND IRELAND.
London dates of March 13.

The elections for members of parliament were going on briskly. Sir F. Burdett and M. Hobhouse are elected from Westminster. Cobbett was making an attempt to be elected from Coventry, but was in a "miserable minority" on the 4th day. At Carlisle, the military had been called in to protect the ministerial candidates from the fury of the "radicals."

Several of the European courts have gone into mourning for six weeks, on account of the decease of George the 3d.

Two or three other persons, supposed to have been concerned in the late conspiracy, have been arrested.

The state of Ireland becomes more and more alarming—5000 additional troops were marching for Galway; the whole county of Clare was under proclamation. The ribandmen are in military array,

and nightly swear in new associates. They have had some rencontres with the troops, in all which they have been worsted.

The highlanders, in Ross-shire, are in a state of insurrection. The sheriff deputy of the county says it will require 500 men more, and 3 pieces of cannon, to quell the commotion. At Glasgow, also, there had been some atrocious attacks upon the working people, at certain manufactories. The rioters appear to be pretty well armed with muskets and pikes. They do not seem to have any political object. At Colerain, a sheriff, with 50 special constables and a party of militia, went to warn the tenants to leave some farms in the neighborhood—the people were driven to madness at being forcibly dispossessed of their homes, and resisted—a fight ensued; 10 of the sheriff's party were wounded and he was compelled to retire.

To be in possession of a gun, except the possessor is a known loyalist, subjects a man to the suspicion of being a traitor in England!

Mr. Cobbett has addressed circulars to seventy persons, soliciting each of them to give him ten pounds, to support his election at Coventry; saying, he can do great things if made a member of parliament!

The new king had been restored to his usual health. A proposition was said to be before the cabinet for settling on George IV. the hereditary revenues of the crown, with the droits, exceeding, 1,600,000*l* sterling, or upwards of six millions of *do lars*! This is a neat little sum to pay for the honor of having a king!

Benjamin West, Esq. the most distinguished historical painter of the age, died at London on the 10th of March, in the 82nd year of his age. He was a native of Pennsylvania, and though so long absent, always had much affection for his native land.

FRANCE.

It has been announced in the chamber of deputies, that France has her "radicals," and that in some of the departments the "most execrable joy" prevailed, when the assassination of the duke of Berri was known.

In the chamber of peers, a petition was read from the mayor of Beziers, praying the chamber to address the king, that he might induce his brother, the count d'Artois, to form a matrimonial alliance, in the hope of giving heirs in the direct line to the house of Bourbon!

A private letter says The assassin Louvel is completely cased in iron; he is fastened by the legs, thighs, body, elbows and wrists, with an iron collar or gag, that completely prevents him from moving his head forward. He is chained to a wall by iron bolts and locks, and only permitted to sleep a few moments at a time, so as just enough to prevent nature from expiring!

The *Moniteur* contains a royal ordonnance calling out 40,000 men, from the class of 1819.

Agriculture. The *Moniteur* contains a very long report by Decaze, which is published, as having been approved of by the king, on the state of agriculture in France. It appears from this document, that the fostering care of the government is steadily, and in most instances successfully, exercised in promoting every branch of cultivation adapted to the French soil and climate. One branch, that of the culture of the beet root, which it was supposed would have languished on the restoration of the sugar colonies, is stated to be gradually but firmly extending itself, and its encouragement is recommended to the government, among other con-

siderations, on the special ground on which it was originally introduced, that of rendering France independent of foreign supplies of sugar in a period of war. It is affirmed, that those who manufacture sugar from beet-root raised on their own farms, realize a profit of 25 per cent; and upon the supposition that a quantity were raised adequate to supply the total consumption of sugar in France, it is said that the refuse of the beet root would of itself suffice to fatten for the market annually 120,000 head of cattle. There are now about 20 beet-root sugar refineries in full activity.

SPAIN.

It appears that all the North Americans captured on board of patriot privateers, and confined in Spain, have been set at liberty, in consequence of the general amnesty proclaimed by the king. Some of them have been dungeoned more than three years.

From the Franklin Gazette.—Extract of a letter to the editors, dated Madrid, March 7.—“I send you at hazard, by way of Gibraltar, a gazette extraordinary, published this afternoon by this government. The determination to call the cortes has been produced by the revolution in Galicia, the disturbances in Murcia, and other movements. A part of the army at Ocona have sworn to the constitution. The regiment, Imperial Alexander, commanded by *Alexander O'Donnell*, is a part of the force, and the count *Arsal* left Madrid on Thursday night, secretly, to join them. Last night the patrols of the city and the guards at the palace were doubled. The infante Don Carlos, and some of the heads of the government, attended by 800 men, were stationed in the Plaza Major, and all the disposable force of the king have slept upon their arms. The cause of these precautions was the belief that the stone of the constitution was to be raised during the night, or early this morning. The government was informed by a lapidary, that he had prepared a stone by the directions of some five or six unknown persons, who compelled him, after it was made, to inscribe upon it some appropriate words. The persons, after the work was executed, paid for it and carried it away. Diligent search has been made to discover them, but without effect.

We are in the midst of affairs here, and expect to see or hear something in a short time interesting, if not terrible. The opinion prevails that the king must subscribe the constitution of 1812. Nothing short of that will satisfy the mass of the army and of the nation.”

Gazette Extraordinary of Madrid, March 9, 1820.

Don Ferdinand VII. king, by the grace of God and the constitution of the Spanish monarchy, has published the following decree:

Having, in my decree of the 7th inst. stated my determination to swear to the constitution promulgated in Cadiz by the general and extraordinary cortes in the year 1812; I have just sworn to the same in a provisional *junta*, composed of persons possessing the confidence of the city, until, in the cortes which I have made arrangements for assembling with reference to the said constitution, the same oath may be solemnly repeated, in the manner which that body may deem proper. The individuals composing this *junta*, are the reverend father in Christ, cardinal de Bourbon, Archbishop of Toledo, president; lieutenant general Ballesteros, vice president; the reverend bishop of Valladolid; Don Manuel Lardizabal; Don Mateo Valdemoros; Don Vincente Sancho, colonel of engineers; count Taboada; D. Francisco Crespo de Tejada; D. Bernar-

do Tarrus; and don Ignacio Pezuella. All acts done by government will be in result of consultation with this *junta*, and will be published with its consent. Let the same be made known and every where promptly and immediately published throughout the whole kingdom. Signed and certified at the palace, the 9th March, 1820.

Joseph Garcia de la Torre.

The following order has been transmitted to the captain generals of the respective provinces:

The secretary of state has transmitted me the following order of the date of this day: His majesty has determined immediately to set at liberty all persons imprisoned, or detained, on account of their political opinions, in whatsoever part of the kingdom they may now be; they are at liberty to return to their homes, as also those who, for the same cause, may be at present out of the kingdom. Let this determination be made known to all the captain generals. All which I transmit to your excellency for your governance, and with a view to its publication and execution. God preserve your excellency many years.

Madrid, March 8, 1820.

GERMANY.

Frankfort, (Oder.) Feb. 24. The grand duke of Mecklenberg, and the duke of Mecklenberg Strelitz, have proclaimed the suppression of personal servitude. The 6th of January the same benefit was granted to the peasants of the Island of Oesel. The ceremony of emancipation was preceded by divine service; all the constituted authorities were joined to the deputies of the peasants. The marshal of the province delivered a discourse, in which we remarked the following passage: “All men are born free, the laws alone can restrain the use of their liberty, arbitrary power must disappear, and in future it will be no merit not to have been a tyrant.”

“This is the wish of Alexander, [the grand duke] our well beloved sovereign; this is demanded by the spirit of the age, that all powerful voice, which always makes itself heard. The day has arrived, when servitude is to be forever abolished, and when the first rights of humanity are to be rendered to the men whose labor and sweat procure for us the first necessities of life.”

WEST INDIES.

The news of the revolution in Spain was received with rapture in Cuba. All the bells were set to ringing at Havana—the people filled the streets shouting “viva la constitution,” and the soldiers joined them. The governor and his aids mixed with the crowd, and were almost crushed to death, says the account, by the pressure of the populace about them. Pipes of wine, and other good things were freely distributed to the soldiers and the people, and a general jubilee was observed.

It appears that the governor at first hesitated—but the soldiers drew up in the public square and compelled him to proclaim the constitution, to which he took the oath. He was president of the court martial that sentenced gen. Lacey to death, for no other crime than that of being attached to the constitution.

By the late change in Spain, our fears of the transfer of this invaluable island are allayed. The cortes will not surrender its sovereignty; and, with the present disposition of its inhabitants, the nature of their climate and means of defence, it will not be an easy matter to take it by force.

Mr. Armand, the director of the theatre at Trinidad, has been deprived of his license for ten days, by the board of cabildo of that island, and sentenced

to a fine of fifty dollars, for having inserted in his play-bills that a place in the theatre was provided for the reception of slaves.—*Antigua Register.*

SOUTH AMERICA.

The Norfolk Herald says—We have received information, the authenticity of which cannot be questioned, that "the provisional government of the constitutionalists, at Ista, (the head quarters,) have in their Gazette, formally acknowledged the independence of South America."

CONGRESS.

IN SENATE.

April 28. Mr. Roberts presented to the senate the memorial of the chamber of commerce of the city of Philadelphia, against an increase of the duties on imports, as proposed by the bill before congress; which was read and ordered to be printed.

The bill authorising an allowance to J. B. Timberlake, a purser in the navy, for losses sustained by him, by the desertion of some of the crew of the frigate United States, was taken up; and, after a discussion of the circumstances and merits of the case, which continued more than an hour, the question was taken on ordering the bill to a third reading and negatived.

So the bill was rejected.

The bill concerning the banks of the District of Columbia, being the substitute adopted by the senate for the bill from the other house, was read the third time and passed by the following vote:

YEAS—Messrs. Barbour, Eaton, Elliot, Gaillard, Horsey, Johnson, of Lou. King, of Alabama, King, of N. Y. Lanman, Leake, Lloyd, Otis, Pleasants, Smith, Stokes, Thomas, Walker, of Alabama, Walker, of Geo. Wilson.—19.

NAYS—Messrs. Burrill, Dana, Dickerson, Johnson, of Ken. Lowrie, Macon, Melien, Morrill, Noble, Palmer, Parrott, Roberts, Ruggles, Sanford, Trimble, Van Dyke.—16.

And the amendment was sent to the other house for concurrence.

The rest of this day was chiefly spent on private claims and bills.

May 1. Mr. Pleasants submitted the following resolution for consideration:

Resolved, That the secretary of the navy, with the assistance of the commissioners of the navy board, be requested to cause to be revised the rules, regulations, and instructions for the naval service, prepared and reported under the authority of an act of congress of the 7th of February, 1815, and that the same be reported to the senate during the first week of the next session, in order that legal provision may be made for carrying into effect such of them as may be considered necessary, and which have been found to be at variance with existing laws. [Agreed to, next day.]

The bill to regulate the duties on imports, and for other purposes, was received from the house of representatives, and twice read by general consent; and, after some conversation as to the disposition of the bill, it was referred to the committee of commerce and manufactures.

Several private bills were considered and passed, or otherwise disposed of.

The senate then went into the consideration of executive business, (which occupied them a great part of the day.) After which

The senate adjourned.

May 2. On motion of Mr. Dickerson, it was ordered that the committee of commerce and manufactures, (to which had been referred the tariff

bill,) have leave to sit this day during the sitting of the senate.

Mr. Trimble, of Ohio, laid upon the table the following resolutions:

1. *Resolved*, That the secretary of war cause to be prepared and laid before the senate, at the commencement of the next session of congress, a plan for employing the army in making a minute and accurate survey of the inland frontier of the United States, together with an estimate of the additional expense which may be annually required for that object.

2. *Resolved*, That the secretary of the navy cause to be prepared and laid before the senate, at the commencement of the next session of congress, a plan for employing the navy in completing a minute and accurate survey of the coast of the United States, together with an estimate of the additional expenses which may be annually required for that object.

3. *Resolved*, That the secretary of the treasury cause to be prepared and laid before the senate, at the commencement of the next session of congress, a statement of the money which has been annually appropriated and paid, since the year 1775, for surveying the sea coast, bays, inlets, harbors and shoals, and for erecting, supplying and keeping in repair, light-houses, beacons and buoys, and for the purchase of the ground upon which the same may have been erected.

Mr. Roberts presented the memorial of sundry merchants of Philadelphia, against an increase of the duties on imports.

The bill from the other house, to "prevent the commanders and other officers in the naval service of the United States, from accepting of any present, or emolument of any kind whatever, from any king, prince, or foreign state, and for other purposes," was twice read by general consent, and referred to the naval committee.

After attending to several other private bills—

The bill for the relief of Louis Joseph de Beau lieu (a captain in Pulaski's legion in the revolutionary war, praying to be placed on the pension list under the act of March, 1818) was taken up in committee of the whole. The bill was so amended as to require the petitioner to relinquish any other pension which he may now receive from the United States; and,

On the question of ordering the bill to a third reading, it was decided in the negative, by yeas and nays—yeas 15, noes 17; so the bill was rejected; and,

After the consideration of executive business,

The senate adjourned.

May 3. Various reports were received—among which, Mr. King, of N. Y. from the committee on roads and canals, reported a bill to lay out the route and prepare the plan of a canal, estimates of expense, &c. from Lake Erie to the navigable waters of the Ohio, (from the waters of Sandusky to those of Scioto;) which bill was twice read by general consent, and referred.

On motion of Mr. Lloyd, the senate took up the bill for the relief of the widow of John Heaps, (the mail carrier, who was recently murdered,) and it was ordered to a third reading, *nem. con.*

The senate next proceeded to the consideration of the report of the committee on roads and canals, on the bill concerning the road from Wheeling to the Mississippi, and canals from the Chesapeake to the Delaware, and from the Rariton to the Delaware. [The report separates the two objects, and brings them before the senate in distinct bills.]

Considerable debate arose—finally, a motion was made to postpone the bill to the 1st of April next, (to destroy it) negatived, as follows:

YEAS.—Messrs. Barbour, Eaton, Gaillard, King, of Alabama, Leake, Macon, Otis, Pleasants, Smith, Walker, of Alabama, and Williams, of Tennessee—11.

NAYS.—Messrs. Burrill, Dana, Dickerson, Edwards, Elliott, Horsey, Hunter, Johnson, of Kentucky, King, of New York, Lannan, Lloyd, Lowrie, Noble Palmer, Parrot, Roberts, Ruggles, Sanford, Stokes, Taylor, Thomas, Tichenor, Trimble, Van Dyke, Walker, of Georgia, Williams, of Mississippi, and Wilson.—27.

It was ordered to be engrossed for a third reading.

Mr. Dickerson, from the committee of commerce and manufactures to which, had been referred the bill from the house of representatives to regulate the duties on imports, reported the same with sundry amendments.

The senate agreed to the resolution of the house, fixing the 15th of the present month as the day for the adjournment of the session.

The senate resumed the consideration of the bill concerning invalid pensioners, and the bill was, without further debate, on the motion of Mr. Roberts, postponed indefinitely, and of course rejected.

The senate took up the bill from the other house in addition to the act providing for the publication (in newspapers) of the laws of the United States—to which bill the judiciary committee of the senate, to which it had been referred, reported an amendment, (to leave the number of papers in each state to be selected for publishing the laws, the same as at present, (three,) and providing that private and local acts, and Indian treaties, shall not hereafter be published in the newspapers, excepting treaties, so far as to have them published in the states more immediately concerned.)

After discussion, the bill was postponed until to-morrow.

Much other business was transacted, which will appear hereafter, if finally acted upon—but nothing important occurred.

HOUSE OF REPRESENTATIVES.

Friday, April 28. Mr. Newton, from the committee on commerce, reported, without amendment, the bill from the senate to grant certain privileges to the Ocean steam ship company of New York, and the bill, after some explanation of its object, by Mr. Newton, was ordered to a third reading.

Mr. Archer, of Maryland, submitted the following amendment to the rules of the house, which lies on the table one day of course.

"Every discussion on any bill, motion, or resolution, shall terminate in five days after it shall have commenced.

"No member shall speak upon any question longer than an hour at one time."

Mr. Butler, of New Hampshire, submitted the following resolution for consideration:

Resolved, That the committee of manufactures be instructed to prepare and report a bill laying a duty of—cents on all spirituous liquors distilled from grain and other domestic materials.

The question being taken whether the house would now consider the resolution, it was decided in the negative—ayes 58, noes 66.

The engrossed bill for the relief of Groome Keith Spence, late a purser in the navy, (allowing him certain discount, paid by him during the late war, in passing off treasury notes received from govern-

ment,) was read the third time, and after some debate on the merits of the bill, in which Mr. *McCoy* opposed, and Mr. *Livermore* advocated its passage, the bill was passed. Ayes 67, noes 53, and was sent to the senate for concurrence.

The house then took up the bill to regulate the duties on imports, and the amendments reported thereto by the committee of the whole house; Mr. *Hardin's* motion to postpone the bill indefinitely being under consideration.

[Mr. *Hardin* spoke two hours, and Mr. *Lowndes* three hours, against the bill—Mr. *McLane*, of Del. spoke two hours, and Mr. *Baldwin* half an hour in support of it. Messrs. Silsbee and Simpkins also took some part in the debate, Mr. *Parker*, called for the previous question, but it was not sustained. At 6 o'clock in the evening a motion to postpone the bill to the next session was negatived—for it 79, against it 92. The amendments agreed to in committee of the whole were then concurred in by the house. Several proposed amendments were offered—one only prevailed, to reduce the duty on salt from 25 to 20 cents, per bushel. The previous question was called for and sustained, 82 to 62; and—

The previous question, "shall the main question be now put?" was stated accordingly, and was decided, by yeas and nays, in the affirmative—ayes 92, noes 71.

The question was then at length taken on ordering the bill to be engrossed and read a third time, and decided in the affirmative, by yeas and nays; yeas 90, nays 69.

[Considering this as by far the most important vote that has been taken in the house of representatives the present session, except those on the Missouri question, we have given ourselves the trouble to make the following exhibit of it, for more easy reference. ED. REG.

FOR THE BILL.

From Massachusetts.—Messrs. Adams, Dowse, Folger, Kendall, Kinsley, Mason, Morton, Parker, Sampson, Shaw—10.

Rhode Island.—Messrs Eddy, Hazard—2.

Connecticut.—Messrs Edwards, Moseley, Phelps, Russ, Stevens, Tomlinson—6.

Vermont.—Mr. Rich—1.

New York.—Messrs Allen, Baker, Case, Clark, De Witt, Fay, Ford, Gross, Guyon, Hinkley, Hall, Lyman, Meigs, Monell, Pitcher, Richmond, Storrs, Street, Strong, Taylor, Tompkins, Tracey, Van Rensselaer, Wendover, Wood—25.

New Jersey.—Messrs Bateman, Bloomfield, Kinsey, Linn, Smith, Southard—6.

Pennsylvania.—Messrs Baldwin, Boden, Darlington, Dennison, Edwards, Forrest, Gross, Hemphill, Hishman, Hiester, Hostetter, Macley, Marchand, R. S. Moore, Murray, Patterson, Philson, Rodgers, Sergeant, Tarr, Wallace—22.

Delaware.—Messrs Hall, McLane—2.

Maryland.—Mr. Little—1.

Virginia.—Mr. Newton—1.

North Carolina.—Mr. Sawyer—1.

South Carolina.—Mr. Ervin—1.

Kentucky.—Messrs Brown, McLane, Metcalf, Trimble—4.

Ohio.—Messrs Beecher, Brush, Campbell, Herick, Russ, Sloan—6.

Indiana.—Mr Hendricks—1.

Illinois.—Mr. Cook—1.

AGAINST THE BILL.

New Hampshire.—Messrs Buffum, Butler, Claggett, Livermore, Plumer—5.

Massachusetts—Messrs Cushman, Hill, Holmes, Nelson, Silsbee, Whitman 6.

Connecticut—Mr. Fdot—1.

Vermont—Messrs Crafts, Mallary—2.

Pennsylvania—Mr. Fullerton—1.

Maryland—Messrs Archer, Bayly, Culbreth, Kent, Neale—5.

Virginia—Messrs Alexander, Archer, Ball, Barbour, Burwell, Floyd, Johnson, McCoy, Mercer, Parker, B. Smith, Swearingen, Tyler, Tucker, Williams—15.

North Carolina—Messrs Burton, Culpepper, Davidson, Edwards, Fisher, Hall, Hooks, Settle, Slocumb, Smith, Williams—11.

South Carolina—Messrs Earle, Lowndes, McCreery, Overstreet, Simpkins, Tucker—6.

Georgia—Messrs Cobb, Crawford, Cuthbert, Reed, Terrill—5.

Kentucky—Messrs Anderson, Hardin, Robertson—3.

Tennessee—Messrs Allen, Bryan, Cannon, Cocke, Jones, Rhca—6.

Louisiana—Mr. Butler—1.

Mississippi—Mr. Rankin—1.

Alabama—Mr. Crowell—1.

ABSENT ON THE VOTE.

New Hampshire—Mr. Upham—1.

Massachusetts—Messrs Allen, Fuller, Lathrop, Lincoln—4.

Vermont—Messrs Meech, Richards, Strong—3.

New York—Messrs Dickerson, Peck—2.

Maryland—Messrs S. Smith, Ringgold, Warfield—3.

Virginia—Messrs Garnett, Jones, Nelson, Pindall, Randolph, Smyth, Strother—7.

North Carolina—Messrs Walker—1.

South Carolina—Messrs Brevard, Pinckney—2.

Georgia—Mr. Abbot—1.

Kentucky—Messrs Quarles, (resigned), Walker, (dec.)—2.

Saturday, April, 29. Mr. Williams, of N. C. rose, and said he should take the liberty to submit to the house several propositions growing out of the vote last evening, on the tariff bill. If that bill passed into a law, of which he thought there was little doubt, since the vote had been taken, a radical, a total change would be effected in the system of policy heretofore pursued. It appears to me, sir, that we have been happy, that we have flourished, in a pre-eminent degree, under the operations of the system so much reprobated by the friends of the new tariff. In lieu of a tax on consumptions, we must, it seems, now resort to a system of internal taxation. The gentleman from Pennsylvania, (Mr. Baldwin,) under whose auspices this bill was ushered into the house, and carried through with a triumphant majority, had always been favorable, if he was not mistaken, to a system of internal taxation. That gentleman voted against the repeal of the internal duties, when a longer continuance of them was manifestly unnecessary, and when the president had recommended their abolition. But, without the former votes of the gentleman, the whole of his present project is evidence unequivocal to my mind, that he wishes to re-establish a system of internal taxation.

The gentleman had distinctly said, that the system of revenue which was now in operation, had been tried; that it had failed; and that we must change it. Mr. W. said, he was not disposed to think or to act with the gentleman from Pennsylvania; that he denied to the gentleman the force of his argument, founded upon the inadequacy of our present system. But, admitting it to be inadequate,

Mr. W. denied the propriety or policy of such a remedy as that gentleman proposed. Sir, said he, what is the real cause of the deficit in the revenue? Is the deficiency owing to any fault in the system itself, or does it proceed from the enormous expenditures of money? I say it boldly, and without fear of contradiction, that the beggared condition of the treasury arises from the improper expenditures of money, and not from any fault in the revenue system. The friends of the present revenue system have not been disappointed. It has produced all the good they expected would result from it at the time it was adopted. But, sir, many heavy expenditures have since been authorized, and which were not contemplated at the period the system was adopted. This is the real cause of the insufficiency of funds in the treasury.

No doubt a portion, and perhaps a serious portion too, of the failure arises from the present deranged state of the circulating medium; but this is no fault of the system; and notwithstanding all these embarrassments, it would have answered every purpose, provided the expenditures had not been unreasonable and improper. The gentleman from Pennsylvania, however, had uniformly opposed, Mr. W. said, every effort to retrench, to economize and to save the public money. So far, then, as the gentleman from Pennsylvania was concerned, the deficiency of revenue had been owing more to the course of policy pursued by him in this house, than to any defect in the system. The system, Mr. W. repeated, had not failed; it had answered every purpose contemplated by its friends at the period of its adoption. But the congress of the United States had failed, if there was failure any where. They had authorised excessive expenditures, not contemplated: Had the army been reduced, as often proposed in this house, there would not now be a deficiency of money in the treasury. But the gentleman from Pennsylvania had opposed, at all times, any reduction of the military establishment. Not only so, but the gentleman had opposed every attempt to reduce the expenditures appertaining to the army. Even the Yellow Stone expedition, condemned by the deliberate judgment of this house, as not only useless and expensive, but dangerous, the gentleman supported by his vote.

Mr. W. said it was a source of some little consolation at least, that, if the tariff bill went into operation, the army would be reduced as a matter of course. It would in that state of things, be less necessary than it had been, and its most determined advocates in this house would not any longer be able to sustain it. In any difficulties we might calculate on with Spain, there appeared to be no occasion for the army in its present size. But thinking the reduction of the army would ensue, as a matter of course, upon the passage of the tariff bill, he should not now say any thing more on the subject; nor had he provided any resolution specifically for that object. The next branch of public expenditure rendered wholly unnecessary, if the bill should pass, was the appropriation for the gradual increase of the navy.

Sir, it is proposed that we adopt a Chinese policy; that we shall always stay at home, and never go abroad. Of what use, then, can be your navy? The navy was created to defend your maritime and commercial rights. If you have no commerce of what use can be your navy, to defend the very rights which you have declared you will not exercise? Mr. W. said he would never agree to tax his constituents, in the first place, to support manufac-

turing establishments; and then to support an army and a navy, rendered wholly useless and unnecessary by the policy proposed to be pursued.

Mr. W. said, further, that, when the commercial interest suffers; when their rights are invaded, petitions flow in upon us; are referred to the committee on commerce, and, by that committee, are duly considered. If any law is necessary to provide for the commercial interests, the committee report a bill, and it is passed into a law. Thus, the commercial interest is guarded and defended. At this session we have, also, a distinct committee on manufactures. The mass of petitions and documents laid on our tables; and, above all, the bills reported by the gentleman from Pennsylvania, tend to shew the great vigilance with which the manufacturing interest is guarded. Gentlemen say that there are, in this country, three interests, the agricultural, commercial, and manufacturing. And how happens it, sir, that the agricultural, the great leading and substantial interest in this country, has no distinct committee; no organized tribunal in this house, to hear and determine on their grievances? If the commercial or manufacturing interests are affected, the cry resounds throughout the country; remonstrances flow in upon us; they are referred to committees appointed for the purpose of guarding them, and adequate remedies are provided. But, sir, when agriculture is oppressed and makes complaint, what tribunal is in this house, to hear and determine on the grievance?

Now, I suppose agricultural petitions could not be referred to the committee on manufactures! The policy pursued by the gentleman from Pennsylvania, who is at the head of that committee, shews you that agriculture can get nothing from manufactures. Let us then have a distinct and separate committee on agriculture, to hear and determine on the grievances of which that interest may complain. Sir, I wish to hear the agricultural voice of the country; let the farmers and planters speak. They constitute an interest which to all other interests, is as 10 to 1, 20 to 1, or 100 to 1. They are patient and long suffering, they will bear a great deal without murmur or complaint. But there is a point beyond which they cannot bear. Beyond that point I fear we are about to go. For the purpose therefore of having some tribunal before whom the agricultural interest may appear, I shall submit a resolution to establish a committee on that subject. They are the majority, they have a right not only to be heard, but to control. Oppress them only a little longer, and they will rise in the majesty of their strength; they must and will demand suitable relief. Mr. W. concluded by offering the following resolutions, which were read.

Resolved, That the committee of ways and means be instructed to report a bill, repealing any law or laws, making appropriations for the increase of the navy of the United States.

Resolved, That the committee of ways and means be instructed to report a bill, calling home the squadron, in the Mediterranean sea.

Mr. Williams submitted, also, the following resolution to amend the rules; which lies on the table one day of course:

Resolved, That an additional standing committee be appointed, to be denominated "*The committee on agriculture.*"

Mr. Floyd, of Virginia, rose and said he was glad to see the course taken by his friend from North Carolina. His intention was to offer another resolution, pressing the same object still farther. Mr. W. had no hesitation in saying, that if the present

tariff passed, from the effects he believed it would produce upon the country, that it would cause a radical change in all his opinions, as it regarded the army and navy of the United States. He felt it due to himself to say, that heretofore he had been friendly to the army and navy; but would rather dispense with both than oppress the country with a system of excise and taxes. He knew there was, some time ago, a political party in the United States, who thought that method most wise and best, of supporting the government, which looked to direct taxes; but he was not one of that number; his antipathy to that system was still the same. The motion, therefore, which he was about to submit, proceeded from a strong conviction, that, unless we reduced our expenditures in this way, this oppressive and ruinous system, which we are threatened with, must very shortly be brought into operation, which will require at least eight or ten millions annually of direct tax a sum which the community, in times of greater prosperity, could not bear, and, in these times of difficulty and distress, cannot be paid, unless by a sacrifice of property, perhaps at less than a fifth of its value.

Mr. F. believed the revenues of the country would, for several years, be less and less; that each year would show a still greater deficit, until the trade of the world settled down to the proper point, which the wants and situation of all would ultimately determine. Whilst a navy could be of no use to us, having no commerce to protect, as we were about to become a nation of weavers, he could not think it necessary to retain that which formed so large a part of our expenditures. A few small vessels, to protect our coasting trade, whilst they took their manufactures to the south, and returned with cargoes of cotton, might be useful; more was unnecessary and burthensome, and must in a short time decay, and with the tonnage of the country, disappear.

The army, Mr. F. said, which likewise formed so large a portion of our expenses, could with much propriety be dispensed with. A few, very few, were necessary to take care of the fortifications which might be now finished, or which, by existing contracts or appropriations, may soon be so. The defence of every country, Mr. F. said, depended upon the security of a few important points, leaving the intermediate parts to be protected by movements from these points; though now, he believed, there would be still less cause to apprehend any thing from contact with other nations, as we were about to become manufacturers.

Mr. F. said, he did not see the necessity of an excise and direct taxes at the present time, particularly as the friends of the present measure seemed disposed to adopt the Chinese policy; an army and navy, under such circumstances, could only serve to remind us of what we once were. If there was war, or any necessity of the country, not resulting from a measure of our own, at this time, knowing it to lead directly to a system of internal taxation, he would vote for a tax as high as any gentleman would desire, but, when no necessity, in his opinion did exist, he was averse to any thing of the sort. The particular distresses of the country, instead of prompting to impositions upon the people, required in his opinion, great care and economy in the management of affairs, to avoid the necessity for any new demands. He could not see the wonderful benefits which were to result to this people, from this government, when they were made to feel heavy burthens to support an army and navy, which could have no other employment than protecting

the weavers. This country, said Mr. F. is unlike any other; all local expenditures are made by the states; the general government can have no subject of expense, but such as is truly national; an army, a navy, the civil list; the commerce of the country in time of peace, ought, if possible, to pay that expense, and not harass the citizen with two systems of taxation. If things were permitted to remain, the revenue of the country, with proper economy, would be, as it ought to be, equal to all the demands upon the treasury. Mr. F. repeated, that in offering this resolution, he had no feelings hostile to the army or navy, but was actuated by a desire alone to reduce the expenditures of the nation, that if possible the heavy taxes with which we were threatened, by the friends of the tariff, might be avoided. He said, he had still a hope, that this bill, fraught with evil, which he conceived it to be, which he saw would inevitably pass this house, would be arrested elsewhere. Mr. F. then submitted the following resolution, which was, on his motion, laid on the table.

Resolved, That the committee on military affairs be instructed to report a bill, reducing the army of the United States to six thousand men, to consist of a due proportion of infantry, artillery, and riflemen.

The bill concerning the District banks, as amended by the senate, was agreed to.

The bill from the senate granting certain privileges to the Ocean steam boat company of New York, was recommitted.

The engrossed bill to regulate the duties on imports and tonnage, was read the third time.

Mr. Baldwin, remarked, that it would be recollected the bounty on pickled fish exported had been increased in committee of the whole, in consequence of an increase of the duty on imported salt—the duty on salt had subsequently been reduced, but it had been omitted at the same time to make a corresponding change in the bounty on pickled fish. He presumed there could be no objection now to make this amendment, and moved that the house agree thereto by general consent, (by which only an amendment can be made to a bill in the house, on the third reading.)

The motion was objected to, and of course failed.

Mr. Rhea then rose and spoke about an hour against the passage of the bill.

Mr. Slocumb, of North Carolina, moved to recommit the bill, with instructions to reduce the duty on imported iron in bars, &c. from 125 cents to 75 cents.

This motion produced a debate of considerable duration, touching occasionally on the general merits of the bill, as well as on the expediency of committing the bill for the purpose proposed.

The motion to recommit the bill was advocated by Messrs. Slocumb, Pinckney, Silabee, Mercer, Nelson, of Mass. Morton, Smith, of N. C. Livermore, Floyd, Holmes and Foot, and was opposed by Messrs. Kinsey, Smith, of Md. Baldwin, Storrs, Sergeant, and Gross, of New York. The debate continued until about four o'clock, when it was *negatived* by yeas and nays.—Yeas 70, nays 90.

Mr. Foot, of Connecticut, then moved, that the bill be postponed until the first day of the next session, and followed his motion by some general remarks against the bill.

Motion lost—for postponement 78, against it 90.

The question was then taken on the passage of the bill, and decided in the affirmative by yeas and nays as follows:

For the passage,	91
Against it,	78

So the bill was *passed*, and sent to the senate for concurrence.

Mr. Rich made a motion to re-consider the vote by which the amendment of the senate to the District banks bill was this morning agreed to; but before the question was taken, a motion was made to adjourn; and, about 5 o'clock,

The house adjourned.

Monday, May 1. Messrs. Tyler, Upham, Jones, of Va. and Barbour obtained leave of absence for the rest of the session.

Mr. Dickinson presented a petition of sundry merchants and traders, residing in various places in the interior of the state of New-York and other states, praying that a duty not exceeding ten per centum may be imposed on all sales at auction, which was referred.

Mr. Silabee, from the committee on naval affairs, reported a bill to prevent the commanders, and other officers in the naval service of the United States, from accepting of any present or emolument of any kind whatever, from any king, prince or foreign state, and for other purposes; which was twice read and ordered to be engrossed for a third reading.

Mr. Silabee, from the same committee, also delivered in the following report:

The committee on naval affairs have, according to order, had under consideration a resolution directing an enquiry "into the expediency of so modifying the act establishing a board of commissioners of the navy, as to make the secretary of the navy, for the time being, the presiding officer of that board; and also of so limiting the tenor of commissions of the members thereof, as to secure the accumulating experience and talents of our naval commanders in that department, by a periodical rotation in office;" and submit the following report: The act entitled "an act to alter and amend the several acts for establishing a navy department, by adding thereto a board of commissioners," provides that the board so constituted shall be *attached to the office of the secretary of the navy*, and, *under his superintendence*, shall discharge all the duties therein specified; and that the record of their proceedings shall, at all times, be subject to his inspection.

As it would be often inconvenient, and sometimes impracticable, for the secretary of the navy to meet the board of commissioners, as their presiding officer, without neglecting other and more important duties, and as the secretary is, by the aforesaid act, already vested with a supervising and controlling power of the acts and proceedings of the board of commissioners, the committee do not perceive the necessity of such a modification of the said act as is contemplated by the first inquiry directed by the resolution; or that the public service would be benefited thereby.

The committee are the more disposed to this opinion from the consideration that the limits of jurisdiction between the secretary and the board seem to be perfectly understood by each, and that no conflicting claims exist between them on this subject.

The committee are not advised whether the resolution contemplates the secretary to be a constituent part of the board, and at the same time possessed of the control and superintendence of its proceedings, or merely the presiding officer, with a casting vote. In the latter case, the benefit to be derived from the superintendence of one officer

over others, under distinct responsibilities, as well as the circumspection naturally resulting from such responsibility, would be entirely lost. In the former case, the commissioners would be little more than advisory, and in that proportion, bereft of responsibility.

In relation to the second enquiry directed by the resolution, viz. "of so limiting the tenor of the members of the board of commissioners, as to secure the accumulating experience and talents of our naval commanders in that department, by a periodical rotation in office," the committee beg leave to remark, that the duties of the commissioners of the navy board are not merely such as appertain to a mere naval officer, but extend to other and important subjects, with which such officers cannot be supposed to be familiarly acquainted; they relate not only to the contracting for, and procurement of, all articles necessary for the armament, equipment, and provisioning of the public ships, but also to the constructing and repairing of those ships, to effectuate which objects, in the cheapest and best manner, requires a full knowledge, not only of the places at which materials and every thing needful for these purposes, can most advantageously be procured, but also with persons in different sections of the country, with whom they can, with the greatest reliance, make their contracts. The investigation of the committee has led them to the conclusion, that too much time has not yet been allowed to the present commissioners, to obtain that intelligence and experience which is desirable to the most advantageous discharge of these duties, and to perfect such a system in their department, as will unfold to their successors all the advantages of their labors, which, in the estimation of the committee, have been such, as are honorable to themselves, and highly beneficial to the public interest.

The committee would only add, that a periodical rotation in office, from a given number, would preclude choice. Such a rotation, instead of "securing the accumulating experience and talents of our naval commanders," might possibly endanger the board with qualifications opposite from those intended.

Under these impressions, the committee are of opinion, that, although occasional changes in the board of commissioners may, and probably would be productive of public benefit, yet that these changes may with safety be left to the discretion of the executive; and therefore, that it is inexpedient, at this time, to make any modification of the act under which the said board of commissioners is established.

And the report was ordered to lie on the table.

The committee on the resolution from the senate for fixing a time for the adjournment of congress, was discharged from the further consideration of the subject, and the house proceeded to consider the resolution. After discussion, the motion was postponed until Wednesday.

The house then proceeded to the unfinished business. The first subject in order, was a motion, made on Saturday last, to reconsider the vote whereby the amendment of the senate to the District bank bill was agreed to.

The question for re-consideration was decided in the negative, 63 to 54. The question is therefore settled in both houses of congress; and the bill, as it has passed, and requires only the signature of the president to become a law, is in the shape in which it was put by the senate.

Cash duties on imports. The house then again resolved itself into a committee of the whole, Mr.

Taylor in the chair, on the bill for regulating the mode of collecting duties on imports, and for other purposes.

The motion to strike out the first section of the bill being under consideration—

Messrs. M'Lean, of Ky. Baldwin and Clay, supported—and Messrs. Smith, of Md. Settle, Benton, Simkins, Rhea and Harlin, opposed the bill.

The question was taken on Mr. *Silsbee's* motion to strike out the first section, that is, to reject the bill, and carried, ayes 86, noes 60.

The question was then immediately taken to concur with the committee in striking out the first section of the bill, and decided as follows,

For concurrence,	91
Against it,	55

Mr. *Hemphill*, and Mr. *Hall*, of Del. then obtained leave of absence from the service of the house.

And the house adjourned.

Tuesday, May 2. After transacting some business not necessary to notice just now,

The house having resolved itself into a committee of the whole, Mr. *Taylor* in the chair, on the bill for laying duties on sales at auction, the bill was read through.

[The substance of this bill has already been published in the REGISTER. It proposed to levy a duty of 10 per cent. on the sales of imported dry goods, a small tax on groceries, &c.]

The first section of the bill being under consideration—

Mr. *Baldwin*, the chairman of the committee of manufactures, delivered an exposition of the views of the committee in reporting the bill, and the reasons by which he was induced to urge its passage. The system of auctions he described as a monopoly in the hands of a few persons in the large towns, and a fair subject for taxation. The present operation of the sales at auction of foreign merchandise, he argued, was to displace the fair trader, by inundating the country with worthless goods at reduced prices; and its effect had been, connected with other causes, to throw our commerce into the hands of foreigners, and bankrupt the fair American merchant, at the same time that it also destroyed the occupation of the helpless but industrious retailer. In support of his argument, he advanced various facts, shewing the great extent to which this auction business is carried on in the country, &c.

A general debate followed. Mr. *Storrs* was favorable to the principle of the bill, but thought that auction sales ought not to be wholly interdicted—he moved to strike out ten and insert 2½ per cent. Mr. *Smith*, of Md. supported the bill, and opposed the amendment offered by Mr. Storrs. He entered in a general view of the pernicious effect of sales at auction, operating against the regular trade, &c. Mr. *Sergeant*, also opposed the amendment. Mr. *Johnson*, of Va. regarded the bill as a part of a system of measures, commenced by the passage of the bill respecting the tariff, which he was opposed to. Mr. *Tracy* opposed the bill generally, and moved to strike out the first section. Mr. *Silsbee* was in favor of Mr. Storrs's amendment. Mr. *Warfield*, spoke against the passage of the bill in any shape—he thought, it would encroach upon the agricultural interest of the country. Mr. *Kinsey* generally supported the bill, he thought it the duty of congress to support the American manufacturer and merchant. Mr. *Baldwin* spoke again, and supported the bill, he examined more fully the deleterious operation of the present system of trade, &c. and argued that anticipations of punctuality in the fir-

ture payment of duties ought not to be formed on the report of the secretary of the treasury on that subject; and that it would not be surprising if the loss this year, by failures, &c. should equal the losses of the thirty years preceding, or one million of dollars. Mr. Johnson, of Va. replied to Mr. Baldwin. Mr. Meigs advocated the bill, and the question was then taken on Mr. Stor's motion and negatived--ayes 59, noes 72. Several motions were then made to change the duty from 10 to 5 per cent. &c. all negatived; but some changes were made in the bill. Then it was moved to postpone it indefinitely--negatived--66 for, and 83 against it. At last--

The question was taken on ordering the bill to be engrossed and read a third time, and decided in the negative, as follows:

YEAS--Messrs. Adams, Allen, of Ten. Baker, Baldwin, Bateman, Beecher, Bloomfield, Boden, Brown, Campbell, Case, Clark, Cook, Crawford, Culbreth, Cushman, Darlington, Dowse, Edwards, of Penn. Ervin, Folger, Foot, Forrest, Gross, of N. Y. Guyon, Hackley, Hall, of N. Y. Hall, of Del. Hendricks, Herrick, Hill, Hostetter, Jones, Tenn. Kendall, Kinsey, Little, Linn, Lyman, McCreary, McLane, of Del. McLean, of Kent. Mallory, Marchand, Mason, Meigs, Metcalf, R. Moore, S. Moore, Monell, Morton, Murray, Newton, Parker, of Mass. Patterson, Philson, Plumer, Rankin, Rich, Richmond, Rogers, Ross, Sampson, Sawyer, S. Sargent, Shaw, Sloan, Smith, Smith, M. D. Southard, Stevens, Strong, Strong, V. Taylor, Tompkins, Trimble, Van Rensselaer, Wallace, Wendover, Whitman, Wood--73.

NAYS--Messrs. Alexander, Anderson, Archer, of Md. Archer, of Va. Ball, Barbour, Bayly, Bryan, Buffum, Burton, Burwell, Butler, of N. H. Butler, of Lou. Cannon, Claggett, Cobb, Crafts, Culpepper, Cuthbert, Dennison, Earle, Eddy, Edwards, of Conn. Edwards, of N. C. Fisher, Floyd, Fuller, Fullerton, Garrett, Gross, of Penn. Hall, of N. Y. Hall, of N. C. Hordin, Hester, Holmes, Hooks, Johnson, Jones, of Va. Jones, of Tenn. Kent, Livermore, Lownds, McClay, McCoy, Mercer, Metcalf, Monell, Murray, Neale, Nelson, of Mass. Nelson, of Va. Overstreet, Parker, of Va. Pinckney, Pindall, Plumer, Rankin, Rhea, Ringgold, Settle, Silbee, Simkins, Shoebat, Smith, of N. C. Stor's, Strong, of N. Y. Swearingen, Tarr, Terrill, Tracy, Tucker, of Va. Tucker, of S. C. Walker, Warfield, Williams, of Va. Williams, of N. C.--77.

So the bill was rejected.

A motion was then made by Mr. Butler, of N. H. that the house do reconsider this vote; but before deciding this question--

At about 5 o'clock the house adjourned.

Wednesday, May 3. The Speaker laid before the house, a letter from the secretary of war, transmitting a copy of the proceedings of the court martial, on the trial of col. William King, of the 4th regiment of infantry, and a copy of the orders and documents connected therewith, communicated in obedience to the resolution of the 18th ultimo: which was referred to the committee on military affairs.

The Speaker laid before the house also, a letter from the secretary of the treasury, transmitting sundry documents and statements, in relation to the receipts and expenditures of the department for Indian affairs, communicated in obedience to a resolution of this house; and the letter, &c. were referred to the committee on Indian affairs.

On motion of Mr. Williams, of N. Carolina, the house took up and proceeded to consider the resolve submitted by him on the 20th ult. for the appointment of a standing committee, to be denominated "the committee on agriculture," and the resolution was agreed to.

Mr. Mercer moved that the house do now proceed to consider the bill to provide for clothing the militia when called into the service of the United States; which motion was negatived.

The bill for renewing and amending the charter of the city of Washington, was ordered to be read a third time to-morrow.

The house then proceeded to the consideration of the senate's resolution, proposing to fix a day for the adjournment of congress.

After considerable debate, the 15th of the present month was fixed upon.

The house then took up the motion, depending on yesterday's adjournment, to reconsider the vote

rejecting the bill for laying duties on sales at auction.

Many motions were made, which we see no use of detailing. Finally, *five per cent.* was fixed upon in lieu of the *ten* reported by the committee on manufactures, and the bill was ordered to a third reading, by yeas and nays, as follows:

YEAS--Messrs. Adams, Allen, N. Y. Baker, Baldwin, Bateman, Beecher, Bloomfield, Brown, Brush, Butler, N. H. Campbell, Case, Claggett, Clark, Cooke, Cook, Crawford, Culbreth, Cushman, Darlington, Dennison, Dewitt, Dickinson, Dowse, Earle, Edwards, of Pa. Ervin, Folger, Foot, Ford, Forrest, Fuller, Gross, of N. Y. Guyon, Hackley, Hall, of N. Y. Hall, of Del. Hendricks, Herrick, Hill, Hostetter, Jones, Tenn. Kendall, Kinsey, Little, Linn, Lyman, McCreary, McLane, of Del. McLean, of Kent. Mallory, Marchand, Mason, Meigs, Metcalf, R. Moore, S. Moore, Monell, Morton, Murray, Newton, Parker, of Mass. Patterson, Philson, Plumer, Rankin, Rich, Richmond, Rogers, Ross, Sampson, Sawyer, S. Sargent, Shaw, Sloan, Smith, Smith, M. D. Southard, Stevens, Strong, Strong, V. Taylor, Tompkins, Trimble, Van Rensselaer, Wallace, Wendover, Williams, of Va. and Wood--93.

NAYS--Messrs. Abbot, Alexander, Anderson, Archer, of Md. Archer, of Va. Ball, Bayly, Brevard, Bryan, Buffum, Burton, Butler, Lou. Cannon, Cobb, Crafts, Crowell, Culpepper, Cuthbert, Eddy, Edwards, Con. Edwards, of N. C. Fisher, Fullerton, Garnett, Gross, Penn. Hall, N. C. Hordin, Hester, Holmes, Hooks, Johnson, Jones, Va. Kent, Livermore, Lownds, Macley, McCoy, Mercer, Neale, Nelson, of Mass. Nelson, Va. Overstreet, Parker, Va. Pinckney, Pindall, Rhea, Ringgold, Settle, Smith, N. C. Strong, N. Y. Swearingen, Tarr, Tracy, Tucker, Va. Tucker, S. C. Warfield--48.

And the house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate--The only material business transacted this day, was on the tariff bill. After considerable debate, a motion was made by Mr. Barbour to postpone it until the next session, and agreed to by yeas and nays, as follows:

YEAS--Messrs. Barbour, Brown, Elliott, Gaillard, Johnson, of Louisiana, King, of Alabama, Leake, Lloyd, Macon, Mellen, Morrill, Otis, Palmer, Pleasants, Smith, Stokes, Taylor, Thomas, Walker of Alabama, Walker, of Georgia, Williams, of Mississippi, Williams of Tennessee--22.

NAYS--Messrs. Burrill, Dana, Dickerson, Eaton, Edwards, Horsey, Hunter, Johnson, of Kentucky, King, of New York, Lanman, Logan, Lowrie, Noble, Parrott, Roberts, Ruggles, Sanford, Tichenor, Trimble, Van Dyke, Wilson--21.

So the bill was rejected; and

The senate adjourned.

In the house of representatives. The engrossed bill laying duties on certain sales at auction, was read the third time.

[This bill proposes to lay a duty on all sales of foreign goods at auction, (except sales under judicial process, &c.)--of one per cent. on the amount of sales of groceries, and that class of articles, and of five per cent. on the amount of sales of woollens, cottons, and certain other manufactured articles.]

After debate, the question on the passage of the bill was decided by yeas and nays--for the passage of the bill 89; against it 61. So it was passed and sent to the senate.

On motion of Mr. Smith, of Maryland, the house resolved itself into a committee of the whole, Mr. Smith of N. C. in the chair, on the bill to authorize the president of the U. States to borrow two millions of dollars, and for other purposes.

A long debate arose--Mr. Smith, of Maryland, briefly explained the several provisions of the bill, and announced his intention to propose, in consequence of the proposed extent of the loan, (for twelve years) that the interest to be paid thereon should be limited to five per cent. [If it cannot be borrowed at this rate, it may be raised by a temporary loan, at six per cent. which the bank of the U. States is to be authorized to lend.]

Mr. Trimble then made a motion, to strike out two millions, (the proposed amount of the loan) and

to insert in lieu thereof *five* millions; and entered into a broad view of the state and prospect of our financial affairs, to shew, that a larger loan than two millions of dollars was necessary from the revenue having been overrated, and that, if the sinking fund was left untouched, five millions would be little enough. If his motion succeeded, he intended of course, to move to strike out the provision, which authorizes the application of the surplus of the sinking fund for the present year, to the current expenses of the year. To separate the distinct questions, however, of the true amount of deficit, and of the expediency of thus applying the sinking fund, he limited his motion for the present to striking out the word *two*, leaving the amount blank, to be filled as the committee should think proper.

Mr. Storrs followed on the same side of the question as Mr. Trimble. Mr. Smith replied—it was absurd to borrow money when the surplus of the sinking fund could not be employed for the redemption of the public debt. Mr. Lowndes supported the bill, though favorable to a larger loan. Mr. Balch wished a loan of five millions, and deprecated a touching of the sinking fund. Mr. Barbour replied to Mr. Baldwin—saying when the sinking fund could not be appropriated to the purchase of the public debt, it might be applied to ordinary purposes.

Mr. Baldwin and Mr. Trimble both spoke in reply, the latter much at large; when

After a session of about six hours, the committee rose; and

The house adjourned.

CHRONICLE.

New York. The election in this state took place last week. It is yet very doubtful who has been elected governor—he being chosen by the free holders; but it is positively stated that a majority of the assembly is opposed to the administration of Mr. Clinton. When the returns are all at hand, we shall publish them by counties, as heretofore.

Naval. The ship of the line building at New York, is expected to be launched in a few days.—She is highly spoken of, and, it is said, will be called the *New York*.

The *Columbus* 74, went to sea on the 27th ult. bound for the Mediterranean.

A clerk in one of the banks in Philadelphia has absconded, though the deficiency in the monies confided to his honor was only ten thousand dollars! The fellow deserves credit for his modesty. Many defaulters, to many times this amount, have bravely stood it out, and nobly drank their wine as usual, at home.

Militia duty. An act was passed at the close of the late session of the New York legislature, exempting all persons having religious scruples against bearing arms, from the performance of military duty in time of peace, without requiring from such persons the payment of any fine or commutation whatever, in lieu of such service.

Plaster of Paris. An extensive bed of this valuable article has just been discovered on the west branch of the Susquehanna, near Pennsborough, and is sold at the quarry for \$5 per ton. This is of more importance to the interior of Pennsylvania than the discovery of a gold mine.

District banks. We have returns of the capitals of the several banks in the District of Columbia,

how paid, &c. reported to the senate by the secretary of the treasury, in pursuance of a resolution of that body. In general, the stock appears to have been fairly taken, and honestly paid in—except of the Franklin bank, whose capital was only 163,255 dollars, 114,830 of which was original paid by stock notes, and those notes, at present, amount to the decent sum of 138,602 dollars.—What a pity that the name of Franklin should have been so abused! The capital of the Central bank is given at 252,995—of this \$80,981 was the proceeds of notes discounted by the bank, and 33,458 dollars more of the stock of the bank of the Metropolis. There is something very ingenious in this—thus, out of a bank fairly established on a capital of a million, we might establish bank after bank, *ad infinitum*, one after the other—so another bank might be made out of the Central bank, which capital is in part a deposit of the stock of that of the Metropolis! It is right however, to observe that the district banks, except the Mechanics and Franklin banks of Alexandria, take up their own paper with that of the bank of the United States, or pay specie as required. The great disbursements of government, and of strangers within the ten miles square, enables them to do this.

To the editor of the Boston Daily Advertiser.

SIR—In your paper of Friday, under the Kingston head, is a notice of the frigate Macedonian, said to be brought from Chagres, by the British sloop of war, the Saphire.* As the whole tendency of that article is to mislead and misinform the public, in this country, I feel myself called upon as an officer, recently from the Macedonian, to contradict those barefaced assertions, that have not even the shadow of truth for a foundation. In the first place, the Macedonian arrived at Panama, the 25th December, 1819, and sailed again previous to the 15th January, 1820. Instead of the sum of 500,000 dollars, therein stated to be on board on Spanish account, there was not one half that amount, and that on account of *Americans*. The British frigate Andromache, capt. Sheriff, was not, at any time, at Callao, when the Macedonian was there; and so far from capt. Sheriff's exhibiting an unwillingness to assist in the safe conveyance of Spanish treasure, the Slaney sloop of war, capt. Bryan, had been ordered by him, down to Lima, and had sailed three days previous to the Macedonian's arrival, with 3,000,000 of specie on board.

Such accounts, as that from Kingston, having an indirect bearing on the conduct of naval officers abroad, should be received with some doubt, and republished with great caution. The high and deserved popularity acquired by capt. Downes, throughout that whole country, may have made him somewhat the object of jealousy at Jamaica, and this perhaps, appeared a safe method to aim a shaft at him in the United States.—Between capt. Sheriff and capt. Downes, there existed, at all times, mutual good will, and a high sense of personal respect; and every opportunity, of courtesy and attention, was uniformly improved and attended to, by them both.

The feelings that dictated that account, must have their origin at Kingston, Jamaica. I am, sir, very respectfully,

JOHN PERCIVAL,

Late second lieut. of U. S. ship Macedonian.

Charlestown, Friday, April 23d.

* The substance of this intelligence was inserted in last Saturday's REGISTER, page 162.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 11—VOL. VI.] BALTIMORE, MAY 13, 1820. [No. 11—VOL. XVIII. WHOLE No. 453

ONE PART—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A SUPPLEMENT of eight pages accompanies this sheet, by which we have been enabled to present to our readers nearly the whole of the constitution of the cortes.

The proceedings of congress, for two or three weeks, have been of great national interest (we wish we could say also, of national importance in their issue), and, of course, claimed an unusual portion of our room, that a history of the acts of the federal legislature might be known and preserved to our readers, together with the principles and feelings of the majority, on the great questions lately submitted for consideration. An adjournment will probably take place on Monday, as agreed upon by the two houses, and we are glad of it—after which we shall make considerable efforts, by abstracts, extracts or insertions *in extenso*, as may be respectively necessary, to publish many valuable documents hitherto only just mentioned in the proceedings, and which the current of matter compelled us to postpone. Our files are complete, and nothing shall be lost that can generally interest the friends of this work, though the body of useful materials is very formidable.

The auction bill, as will appear by a reference to the proceedings of congress, has been reconsidered and postponed to the next session, by the house of representatives. In the majority were some of those who had been its best friends; but the other parts of the system reported by the committee of manufactures, being lost, they believed that no good would result from the auction bill, as amended and alone. In fact, it had assumed the shape, and would have had the simple effect of a revenue bill, in favor of the United States, and against those states in which duties are laid on sales at auction.

We expect soon to take some extensive views of the proceedings of congress in regard to domestic industry, and the finances; and examine also the state of the expenditures, and point out the necessity of recurring to economy. At the present, we must relieve our files of the documents.

The next session. A bill has passed the house fixing the time for the next session of congress earlier than usual. There is a large quantity of unfinished business, and our affairs with Spain may claim attention. But—the bill is rejected in senate.

Spanish constitution. We proposed first to have published an abstract of the constitution of the cortes, and had a considerable part of it in type—but reflecting upon the importance of the document in our present relations with Spain, as well on account of the interest of the matter itself, we have commenced its insertion at full length, to be so managed that, when the volume is bound up, there shall not be any break in it. It is with sincere regret we observe the imperative manner in which a national religion is established. In most other respects, the constitution may be deemed a good one, for a monarchy.

Various notices of the state of things in Spain, will be found under the proper head.

VOL. XVIII.—14.

Relations with Spain. The expected message from the president was laid before congress on Tuesday last, and is inserted in page 191. The documents which accompanied it have their substance freely stated in the message itself, yet we shall publish them in our next. Among the papers is, indeed, a most able letter from Mr. Adams, secretary of state, dated the 8th inst.

It is probable that no proceedings will be had to change the nature of our present relations with Spain—at least, such is the spirit of the message, and the state of our treasury is also to be attended to.

The *National Intelligencer* intimates that Mr. Clay's resolution, for making an appropriation for the outfit and salary of a minister or ministers to the Independent governments of South America (which has passed the house of representatives), was consequent on the disclosure of the result of the negotiations respecting the treaty with Spain.

Revolutionary pension law. The *Intelligencer* says: A joint resolve, for suspending the operation of the act of this session for amending the revolutionary pension law, has passed the house of representatives. The proviso added to the resolve, on the motion of Mr. Foot, authorizes the president to suspend the payment of the pension of any pensioner who, in his opinion, is not entitled to a pension under the original law, as heretofore stated.

Rules and Regulations for the Navy.

Report of the secretary of the navy, in pursuance of a resolution of the senate, in relation to the rules, regulations, and instructions for the naval service. [Read Jan. 3, referred to the committee on naval affairs, and ordered to be printed.]

Navy department, Dec. 29, 1819.

Sir—In obedience to a resolution of the honorable the senate, of the 8th February last, I have the honor to report, that, on examination of the rules, regulations, and instructions for the naval service, prepared and reported under the authority of an act of congress of the 7th day of February, 1815, they are found to be at variance with existing laws in the following particulars:—

The 14th article, under the head of navy yards, places the guard of marines, detached for the protection of the yard, under the command of the commandant of the yard, in the same manner, as if on board a ship of war, and, of course, subjects the marines to the rules and articles for the government of the navy—This is conceived to be contrary to the act of the 11th July, 1798, establishing and organizing a marine corps, and by which act the corps is considered as being in addition to the military establishment: and, by a fair construction of the 4th section of the act, marines when doing duty on shore, are to be governed by the rules and articles of war, prescribed for the military establishment of the United States. It is, however, respectfully submitted, for consideration, whether an amendment of the law, so as to make it conform to the rules and regulations in this respect, will not be expedient; it might contribute to order and due subordination, to make the commandant of a yard

as independent in his yard, in all respects, as a captain on board his ship. Should this be thought to interfere too much with the command and government of the marine corps, it is suggested as worthy of consideration, whether it would not be expedient, for the protection of navy yards, to substitute watches, to be composed of sailors selected from the list of pensioners, and such others as have distinguished themselves for integrity, sobriety and general good conduct, in the place of guards detached from the corps of marines: this would give employment to a very meritorious class of men, who, by their age and disabilities are rendered unfit for active sea service. It is believed that such protection would be not only more efficient, but might be provided at much less expense than at present. It is not intended by this suggestion to intimate that the present establishment of the marine corps should be reduced, but, on the contrary, if guards for the navy yards are to be detached from this corps, as our ships of war multiply, it will very soon become indispensably necessary to increase its number.

By the 28th article of the regulations, under the head of purveyors, the component parts of the ration are different from those fixed by the act of congress of the 3d March 1811, as will be seen by comparing the 3d section of the act with the article above referred to.—Tea and sugar have been substituted in lieu of suet, and half the rice formerly issued. Whether it would be expedient so to alter the laws as to make the ration conformable to the regulation, is respectfully submitted.

By the act of congress of the 21st of April 1806, it is declared, that the officers, when not under orders for actual service, shall receive no more than half their monthly pay; and by the third article of the rules and regulations, under the head of full and half pay and rations, it is provided, that such officers shall be entitled to only half their pay and half their rations.—Doubts have been entertained whether the law authorizes the allowance of half their rations; although I am of opinion, that a just interpretation of the law is in conformity with the regulation as it stands, yet, it is submitted whether, for the purpose of removing all doubt, it is not expedient to make the law more expressive.

These are the only instances in which I have discovered the rules and regulations at variance with existing laws. By the resolution of the honorable the senate, I am also required to report, whether, in my opinion, any further legislative provision is necessary to give force and effect to these rules and regulations. By the act of the 7th February, 1815, the commissioners of the navy, with the consent of the secretary of the navy, were required to prepare such rules and regulations as should be necessary for securing a uniformity in the several classes of vessels and their equipments, and for repairing and refitting them, and for securing responsibility in the subordinate officers and agents. Which regulations, when approved by the president, the act declares, shall be respected and obeyed until altered and revoked by the same authority. So far as the rules relate to the subjects upon which they were to be prepared, as specified in the act aforesaid, they may be binding and operative without any further legislative provision. But it will be perceived, from an examination of the rules and regulations, that many of them relate to subjects not enumerated, or coming within the purview of the act under which they were prepared; in which cases they have not the force and effect of laws, and further legislative provision is necessary to give

them such effect. It is believed, that some additions to these regulations might be advantageously made, and it is respectfully suggested, that they be revised and reported to congress, and, when adopted, expressly made by law, *rules and regulations for the government of the navy of the United States.*

By the resolution I am also required to report any other provisions, which I may deem proper, for the more perfect administration of the naval service.

Believing it to fall within the scope of the resolution, I would respectfully suggest the propriety of making some additional grades in the rank of naval officers. The rank of captain is now the highest grade in the navy recognized by law; and heretofore, during the infancy of our navy, and whilst we had no vessels of a higher class than frigates, and the number of captains small, it was, perhaps, as high a grade as the good of the service required. It is, however believed, that, from the addition both to the number and class of our public ships, and from what may reasonably be anticipated to be the situation of our navy in the course of a few years, both justice and policy require some higher grades of office. According to the relative rank as now established between the military and naval officers, a captain in the navy only ranks with a colonel in the army. This is thought to be contrary to sound policy and the good of the service. The importance of rank, both in the military and naval service, will readily occur to all in any degree acquainted with either. It is therefore respectfully suggested, that the grades of commodore and rear admiral be established by law; this, it is confidently believed, would essentially contribute (if not absolutely necessary) to due subordination and discipline. In a fleet or squadron, when the different vessels may be commanded by officers of the same grade, and their relative rank, and even that of the commander, known only by the dates of their commissions, there will not be that respect and subordination observed, that are essential to order and harmony. Should the increased expense be deemed an objection at the present time, let the number of officers to be appointed be few; and, indeed, the establishment of these grades is considered so essential to the prosperity of the navy, that it is an object deserving attention, should there be no additional compensation allowed.

I would further beg leave to suggest the propriety of some amendment of the laws relative to the surgeons of the navy; it would be desirable to establish grades in this class of officers also; at all events, justice and sound policy require a gradation in their pay and emoluments; the compensation ought to be, in some measure, regulated by the importance of the station in which they are placed, and the talents and qualifications required for the due and faithful discharge of the duty imposed. Whether the compensation now allowed is sufficient to call into the service the talents and learnings, which its importance demands, is respectfully submitted. A division of the officers into classes, according to the rate of the vessel in which they shall serve, is thought would be beneficial, and is suggested for consideration: and this would afford a just standard by which to regulate their pay. The designation of some officer to be placed at the head of this class of officers, and who should have the immediate superintendence of this branch of the service, under regulations for that purpose to be established, is believed would contribute much to the benefit of the service.

The rules and regulations recognize and assign

particular duties to several officers not known in the law; such as surgeons of the fleet, hospital surgeons, and medical purveyors; although this is considered fit, and proper, and beneficial to the service, yet some legal provision is necessary to give such officers the rank and authority contemplated by the regulations. These, and many other subjects in relation to this class of officers, the details of which could not with propriety be embraced in this report, seem to require attention and legal provision.

All which is respectfully submitted.

SMITH THOMPSON.

The hon. the president of the senate.

Public Buildings.

We have an additional report of the committee on the public buildings, presented to the house of representatives on the 16th instant, from which we abstract the following particulars as generally interesting.

Expenditure on the wings of the capitol to the destruction of the same, Aug. 1814	\$788,071 08
On the president's house do. 333,207 04	
On the public offices, do. 93,013 82	
	1,214,291 94
Erecting two additional buildings for executive offices	191,671 08
Repairs on wings of capitol to January, 1820	679,159 14
Do. the president's house	246,490 00
Do. the public offices	68,317 09
Contingent expenses	15,673 02
	1,009,639 25
	\$2,415,602 27

Statement of resources for erecting public buildings in the city of Washington.

Donation from the state of Virginia in 1791, towards public buildings	\$120,000 00
Donation from the state of Maryland	72,000 00
Amount of sales of public lots to January 1, 1820	706,811 88
	898,811 88
Valuation of public property, viz:—	
5,155 building lots for sale, at \$180, the average price of former sales	927,900 00
542 acres of ground reserved for use of United States, at same rate	740,000 00
Land and free stone quarries, wharves and water lots	48,000 00
	1,715,900 00
	\$2,614,711 88

From the foregoing statement, it appears that the donations and actual sales, together with the public lands, at a very low estimation, will more than balance the amount of expenditure at the present time;—

But if we add to the amount expended of	2,415,602 27
The probable expense of the centre of the capitol, and completing the square	800,000 00

The amount will be \$3,215,602 27

And if to amount of resources of 2,614,711 88 is added on the value of the land 1,668,800 00 to make double the present low estimate, This amount will be \$4,283,511 88 It seems but reasonable to anticipate the above increase in value of this property, from the natural growth of the city, under the fostering care of the government.

If this expectation should be realized, it will appear that the public buildings have been erected from the proceeds of property created by locating the seat of government in this place, and that a fund will remain for further improvements.

For the centre building of the capitol, 100,000 dols. were appropriated in April 1818; 136,544 in March 1819; and the sum required for the work to be done thereon during the present year is estimated at \$114,769. The whole cost of the building, it is supposed, will amount to 800,000. The enclosure of the capitol square, with a wall and iron railing, and graduating and improving the same, has cost nearly \$73,000.

The building and enlargement of the offices of the presidents house, repairing and furnishing the walls, gates, &c. and of graduating and improving the square, since April 1818, have cost together about \$40,000.

The incidental expenses for keeping the presidents house and its appurtenances in repair, during the year is estimated at \$1,100.

The whole amount appropriated for the repairs of the capitol and the presidents house, the repairs and erection of executive offices, and towards the centre building of the capitol, including all the appurtenances, amounts to \$1,493,847, and there is a deficiency of appropriations of 99,191. The dates are from Feb. 13, 1815, to January 1, 1820, inclusive.

HOUSE OF REPRESENTATIVES.

Tuesday, March 21.

PUBLIC BUILDINGS.

Mr. Meigs, from a committee, delivered in the following report:

The committee on the expenditures upon the public buildings, respectfully report:

That they have, in pursuance of their duty generally, and in obedience to the resolution of the house of representatives, requiring the committee to ascertain whether the expenses upon the public buildings cannot be lessened, without arresting their progress, made such enquiries as seemed to the committee necessary to attain the requisite information. That the paper annexed, marked A, containing an account of the expenditures from the 15th of February, 1815, to the 1st of January, 1820, was, at the request of the committee, rendered to them by Samuel Lane, the commissioner of public buildings. This statement exhibits an expenditure of 1,491,363 dollars and 24 cents, of which nearly one million of dollars was expended on repairs of the damage done by the enemy in 1814. The paper annexed, marked B, also rendered by request, from the commissioner, exhibits a view of the total expenditures upon the public buildings in the city of Washington, from the commencement to the 1st of January, 1820; and also a view of the value and proceeds of the public lands in the district of Columbia. The latter statement is exhibited, in order that the house of representatives may know the just relation of the national expenditures upon edi-

fices in the district, to the national acquisitions in the same. According to this view it appears, that the valuation of the public lands, and actual amount of sales, added to donations from the states of Virginia and Maryland, exceed the national expenditures upon public buildings within the district, by nearly 400,000 dollars.

The committee, having obtained this general information relative to the subject of their appointment, proceeded to ascertain, so far as was in their power, the relative prices of materials, and wages of artists and laborers, at different periods, during the progress of the works done in the district, and present a table thereof, which is annexed, marked C. also a letter from the commissioner of the public buildings, with another table, marked D. in which the estimate of prices of materials is not made for 1820, but it is stated that these are reduced, particularly the price of brick. The wages of workmen are here estimated much lower than they have been in former years, as will appear on examining the same.

It does not appear to the committee that lower wages than those exhibited for 1820, can be expected in this district; and the committee believe that the commissioner has used every exertion in his power to regulate these expenditures, by similar expenses, in Baltimore, Philadelphia and New York, and has obtained workmen and materials upon as good terms as could reasonably be expected, when it is considered that many of the workmen, and some of the materials are not to be obtained, except from distant parts of the country.

The committee have endeavored to make themselves acquainted with the general character of the work, which is designed to be bestowed upon the centre building of the capitol and it appears to them that it cannot properly be conducted with less attention to ornament than is designed, without injury to that fitness of parts which becomes a whole, and they are pleased to find that the principal ornament of this centre work will consist not of expensive sculpture, but of its simple form, the Rotunda. The committee think proper to suggest to the house, however, that, as it is contemplated to form the dome of the centre of brick work in imitation of the Pantheon at Rome, and as such work will, when added to the great weight of the edifice, require the most serious attention to the foundations of the whole edifice to secure its safety; and as from the examination which the committee have had occasion to make, they feel convinced that these foundations require attention, that it is worthy the consideration of the house, whether effectual means should not be taken to give perfect security, especially on the westerly side of the edifice, by means of walls of sufficient weight and compactness to counteract the apparent tendency of damage to the capitol in that direction.

This consideration ought to precede the execution of the massive work, which is destined to complete the centre building.

The latter suggestion may not appear to fall precisely within the bounds of duty prescribed to the committee, but as the prevention of damage to the public building will be a saving of expense in the end, they have thought it not proper to omit it.

It appears to the committee desirable that the capitol should be finished as soon as may be conveniently done, with regard to the goodness of the work. It is evident that the unfinished parts are injured every winter by that exposure to the weather, which they seem unavoidably to sustain. And the prosecution of the work ought to be encouraged

by the reflection that the national acquisition in the district, approaches so nearly its expenditures, that it may be presumed the total expenditures will not (when the capitol shall be finished) much, if at all, exceed the acquisition, and would not have equalled it, unless that expenditure had been swelled one million, by the ruthless Vandalism of the enemy, who applied the torch of destruction to the first national ornaments he approached.

All which is respectfully submitted.

The report was ordered to lie on the table.

Foreign Articles.

THE "HOLY ALLIANCE"

A Vienna article of March 8, says:—It is confidently said, that Austria and Prussia have issued an ultimatum, in which they have declared that they have decided (in concert with the ministers of several other courts,) to establish, without delay, an army of observation of 40,000 men, half Austrians, and half Prussians, upon the Rhine, from Wesel to Mayence. This army is to be doubled on the first alarm; is to be always ready to take the field, and the expense of it to be divided amongst the confederated powers. It may be considered as the advanced guard of the army of the 'holy alliance,' and perhaps the report of the expected arrival of its commander in chief (duke of Wellington) upon the continent, is not without foundation.

GREAT BRITAIN AND IRELAND.

London, dates to April 1, inclusive.

Stocks, March 29—3 per cent. consols 68 1-2 5 8. U. States 3 per cents 66 to 66 1/4.

A semi-annual dividend of five per cent, was declared by the bank of England, March 16.

Letters have been received from the queen, dated at Rome. She is indignant at the omission of her name in the liturgy—a charitable act of her husband and his obedient priests, to deprive her of the benefit of the prayers of the people, if there is any benefit in them. She is about to return to England, and has ordered persons to meet her at Calais.

The king has conferred the dignity of baronet on *Walter Scott*.

Gen. Grosvenor, the ministerial candidate at Chester, having in his coach rudely attempted to pass a crowd of his opponents who happened to be on the bridge over the Dee, by which many were injured, the mob, having cut the traces and loosed the horses, proceeded to throw the coach and its contents into the river! The general luckily escaped, but his coach was cast over and dashed to pieces.

Mr. Hunt, and four associates, have been found guilty, after a laborious and patient investigation of their case of ten days, in a county to which the defendants had removed the cause.—The words of the recorded verdict were as follows: "Guilty of assembling with an awful banners an unlawful meeting, for the purpose of exciting discontent and disaffection in the minds of the lige subjects of our sovereign lord the king, against the government and constitution of this realm as by law established, and of attending the meeting." He was escorted through Leeds in the evening by about 30,000 of his friends among the people—20,000 of whom carried torches.

Sir Francis Burdett has also received his trial at Lieccester, for a libel of the government, contained in his famous letter upon the unfortunate affair at Manchester; and also of being a malicious and ill disposed person, unlawfully and maliciously devising and intending to raise and excite discontent and sedition among the people."

It is understood, that a motion will be made next

term, for setting aside the verdict against sir F. Burdett, on the ground of a mis-finding by the jury as to the place of publication.

True bills for high treason and murder, have been found against Thistlewood and his associates.

Great election! Mr. G. C. Antrobus, at present a resident at Washington City and charge des affaires for Great Britain, has been elected a member of parliament for the borough of Aldborough, after a spirited opposition! Mr. Antrobus and the person put up with him, had *forty* votes—their opponents, *seven*; total number of votes to make two members of parliament, 47, or 23½ a piece. This, however, is a stout poll, compared with some others.

Electioneering! A singular advertisement has appeared in the *Lincoln Mercury*, signed H. Manners, requesting the electors of Grantham to elect Mr. F. Manners to parliament, in the place of sir W. E. Wilby, who declines. The reasons set forth by Mr. H. Manners, why he wishes Mr. F. Manners elected, is, that "an artful, profligate, infamous married woman," has eloped with him to Marseilles, and if elected, the speaker's warrant on a call from the house, would be the means of restoring him to his anxious friends! On such *national* grounds, says the *County Chronicle*, the people of Grantham can certainly do nothing less than elect him.

FRANCE.

Politics run high at Paris—discussions are very free. An account says—

"Since the assassination of the duke de Berri, party spirit runs high in Paris. No conversation unconnected with politics is listened to. The slightest difference of opinion suffices to interrupt friendships of ancient date. In the departments, the fermentation is said to be yet more alarming. Much prudence and energy have been requisite to prevent an explosion."

A letter from Bordeaux, dated March 18, says—"I send you the newspapers, from which you will perceive that we are about to be deprived of the liberty of press and person—Party spirit is very high—one of our newspapers, the *Tribune*, in the opposition, was burnt at the theatre on Sunday night, and there have been several duels in consequence."

The *London Morning Chronicle* states, that the situation of France, at this moment is truly alarming, and that numerous arrests have taken place at Paris. The *Minerve*, edited by *Evereste du Mont*, concludes a paragraph as follows: "Let us be on our guard! The Censure is preparing its scissars; the gaolers are opening their dungeons; let us hasten—but not despair! It is not yet twenty days, since in a neighboring country, the Inquisition, the Jesuits, despotism, torture, and scaffolds were in permanent force. They are destroyed. Liberty has recovered its empire beyond the Pyrenees—it has gone to sleep in France, but its sacred fire is not extinct. It will be rekindled."

SPAIN.

By a late arrival at Boston from Malaga, we learn that the ministry in Spain had been entirely changed and constitutionalists appointed. The officers, civil and military throughout the kingdom, with a few exceptions, had been removed, and constitutionalists appointed. The members of the cortes of 1812 were collecting, and expresses had been sent to several at a distance, requiring their attendance at a general assembly, to be held at Madrid, as soon as possible.

On the 9th and 10th of March, a massacre of a number of the inhabitants of Cadiz took place.—

It appears that gen Freyre visited Cadiz on the 8th, when the people called for the constitution, and he promised it should be proclaimed on the following day. Accordingly, the inhabitants assembled in a large public square for the purpose, when the troops of the garrison, (who had been joined by a number of deserters from Isla) fired upon them, and between *seven* and *eight hundred* were killed, and from *eleven* to *twelve hundred* wounded! This caused great commotion for a while, but all was quiet when our informant left there. The constitution was finally proclaimed in Cadiz, 21st March, in the evening.

The *Mercantile Diara* of Cadiz, March 21, contains a statement of the killed and wounded in that city in the affair of the 10th of March, as follows—killed, men, 371; women, 36; children, 29—total, 436. Wounded, still in the hospitals, 90; besides many who are at their own houses.

Gen. Freyre disavows a participation in the massacre at Cadiz—he said it was the effect of the "indiscrete ardor of the troops." We have an interesting letter in the *Aurora* of Saturday last, dated at Cadiz, March 17, by which it appears that the people were murdered without object, except to gratify a lust of blood—they were fired upon without the least warning. The constitution had not been proclaimed at Cadiz on the 17th, and the people were so incensed that it was thought they would cast out the royal assassins before it took place. The houses were chiefly shut up and every thing was gloomy. When the news of the massacre reached Seville, the people assumed the powers of the city and displaced Ferdinand's officers.

In the contest between the royal and revolutionary forces at Malaga, Feb. 19—69 or 70 were killed and wounded.

A plot, to bring about a counter-revolution was discovered in Madrid, 10th March; and several persons concerned in it were arrested and imprisoned.

The duke del Infantado had resigned his employments.

The garrison of Madrid took the oath to the *king and constitution* on the 10th of March. It is stated that the *liberty of the press* has been re-established by the provisional junta. The cortes were to assemble on the 15th of May. The amnesty extends to those Spaniards who are out of the kingdom, as well as those within it, on account of political opinions.

Mina, Peon, &c. have dissolved their corps of patriots—considering the revolution as completed.

It is reported that Ferdinand is unpopular in Spain—and a change of the dynasty is expected—or, the establishment of a republic.

A letter says, "the jails and dungeons, are already lightened of their burthens, (prisoners of church and state,) and thousands are restored to the bosoms of their families."

A Madrid article says:—Every day there comes forth from the dungeons of the inquisition, soldiers and citizens, whom public opinion and gratitude replace at the head of the government and the tribunals. We are astonished that a handful of subaltern tyrants had so long the power of prosecuting the men whom all Spain revere.

Before the late revolution, Spanish exchequer Bills (*vales reales*) were at a discount of 86 per cent. and even could not be negotiated at this rate; but immediately after the constitution was proclaimed, they rose to 72.

The decree of the king for convoking the cortes, was signed in the old fashioned and *modest* manner

of "I THE KING." The people assembled and compelled the printer to issue it according to the formula of the constitution, to be signed with the king's name. Those copies that had been issued otherwise were burnt in the street. The people also required the printer to change the designation of royal printer to that of national printer.

The election of members to the cortes for the city of Cadiz, was to take place about the 22d or 25d of March.

All the foreign ambassadors have been changed, except Mr. Vives to the United States.

The king of Spain has named the duke de Frias, ambassador to London, vice the duke of San Carlos; the duke del Parque, to Paris, vice the duke de Fernan-Nunez; don Luis de Onis, to Naples, vice don Pedro Labrador; count de Terenor, to Prussia, vice don Pascual Vallejo; don Manuel Gonzalez Salmon, to Russia; don Josef Maria de Pondo, consul general to Lisbon.

The most friendly sentiments for the U. States are expressed by the constitutionalists, and it is thought no difficulty in the negotiation would be caused by this party.

Abolition of the inquisition—royal decree. "Considering that the tribunal of the inquisition is incompatible with the constitution of the Spanish monarchy promulgated at Cadiz in 1812, and that on that account the cortes suppressed it by decree of the 22d February, 1813; after mature and long reflection, and advising with the junta established by my decree of this day, and in conformity with its opinion, I have ordered this tribunal shall be suppressed throughout the monarchy, and by consequence, the council of the supreme inquisition, and that all persons who may be found in its prisons, for political or religious opinions, shall instantly be set at liberty, referring to the rev. bishops the cognizance of the latter causes, in their respective dioceses, in order that they may inquire into the same and decide thereon, conforming exactly to the aforesaid decree of the extraordinary cortes.—At the palace, this 9th March, 1820."

Madrid, March 15th.—The affair of the cession of the Floridas, is now suspended for a long time—the constitution expressly declares, that "the king cannot alienate, cede, or exchange any province, town, borough or village, nor any part, however small, of the Spanish territory." It specifies the principal parts of that territory, and expressly names the two Floridas.

SOUTH AMERICA.

The first vessel which has reached the United States under the Columbian flag, arrived at Philadelphia on the 8th inst. The republic of Columbia is comprised of Venezuela, New Grenada, and Quito. The flag has three stripes, blue, red and yellow, with three stars, representing the three grand departments, in the ground or field.

Rio de le Hache has been captured by Brion's squadron, with inconsiderable loss.

The paper of Buenos Ayres was at 75 per cent. discount.

From Venezuela. We have late accounts from Angostura, stating that a bloody action took place between Paez and the royal general Morales, near Calabozza. The army of the latter was 5000 strong, and every man was either killed, wounded, or taken prisoner.

From Buenos Ayres. We have no later accounts, but some additional particulars. It appears probable that a complete revolution was about to be effected, which, it seems generally believed, would be eminently beneficial "to the people," and espe-

cially so in promoting union among the provinces. Artigas, Ramirez and Carrera, would be at the head of the new order of things. No three persons are perhaps, more capable of bringing the different interests of the people together. Our last accounts dated Feb. 14, say that Buenos Ayres had been formally surrendered to Carrera—adding, "It is not yet known what arrangements have been made; but it is the general opinion that the confederate system will be adopted, and the capital removed to a more central part of the country, (perhaps to Santa Fe,) and Buenos Ayres will only be considered as a province."

CONGRESS.

IN SENATE.

May 5. Mr. Macon laid on the table the following resolution:

Resolved, That authority ought to be vested in the secretary of the treasury department, to examine and finally settle all such equitable claims as cannot, according to the rules and regulations of the department, be now settled.

The senate took up the amendments of the other house to the bill providing for clothing the army in domestic manufactures.

On motion, the first and second amendments—providing, first, that the preference shall be given to domestic fabrics, if not exceeding five per cent. more than foreign; and, secondly, that public notice shall be given of the supplies wanted—were disagreed to; and the third amendment, extending the provisions of the bill to the marine corps, was agreed to by the senate.

Many bills, (not of a general nature) were passed or otherwise disposed of.

The senate resumed the consideration of the bill to limit the term of office of certain disbursing and other officers of the government; and, the bill having been further amended,

The question was taken on ordering the bill to be engrossed and read a third time, and decided in the affirmative, as follows:

YEAS.—Messrs. Barbour, Burrill, Dana, Dickerson, Eaton, Elliott, Gaillard, Horsey, Hunter, Johnson, of Lou. King, of N. Y. Lanman, Leake, Lowrie, Macon, Mellen, Noble, Otis, Palmer, Roberts, Sanford, Smith, Stokes, Taylor, Thomas, Tichenor, Van Dyke, Williams, of Miss. Wilson.—29.

NAYS.—Messrs. King, of Alabama, Lloyd, Rugles, Trimble.—4

The senate then went into the consideration of executive business; after which

The house adjourned to Monday.

May 8. After much other business, to be noticed hereafter, as necessary—

The senate took up the amendments of the other house to the bill extending the charter of the city of Washington, and agreed to all of them except that which strikes out of the charter the authority to the city to raise, with the approbation of the president of the United States, money for certain purposes, by way of lottery. This amendment was advocated by Messrs. King, of N. York, and Burrill, and opposed by Messrs. Horsey and Roberts, and was disagreed to—16 to 10, and a committee of conference appointed on the part of the senate, on the subject.

The senate also disagreed to the amendments of the bill to establish additional land offices in Alabama. Several private bills were ordered to be read a third time—among them, one for the relief of gen. James Wilkinson.

The senate resumed, in committee of the whole Mr. *Morrill* in the chair, the consideration of the bill to authorize the appointment of commissioners to examine the route of the Chesapeake and Delaware canal, as already laid out, and the route of the proposed canal from the waters of the Delaware to those of the Raritan.

Mr. *Smith* and Mr. *Macon* opposed the bill on principle and at considerable length. The bill, its constitutionality, and expediency, were supported at large by Messrs. *King*, of N. Y. *Dickerson* and *Van Dyke*.

After much debate—postponed until to-morrow.

May 9. The senate resumed, in committee of the whole, Mr. *Morrill* in the chair, the bill to authorize the appointment of commissioners to survey the routes of certain canals—Mr. *Burrill's* amendment being still under consideration.

[This amendment goes to provide for a survey of the best route for a canal from Naragansett bay to Massachusetts bay—the importance of which may be seen by referring to the map.]

Debate being had, the amendment was agreed to—14 to 9; and then—the bill was indefinitely postponed.

The senate then took up, in committee of the whole, Mr. *Horsely* in the chair, the bill to authorize the appointment of commissioners to examine the country between the Sandusky and Miami bays of lake Erie, and the navigable waters of the Scioto and the Great Miami rivers of the Ohio, to ascertain whether and by what route a canal can be laid out to connect those waters; and, if practicable, to determine and lay out the route of such canal, &c.

A motion to postpone this bill indefinitely was negatived, by yeas and nays, as follows:

YEAS.—Messrs. *Barbour*, *Eaton*, *Gaillard*, *King*, of *Alab*, *Leake*, *Macon*, *Morrill*, *Pleasants*, *Smith*, *Tichenor*, *Walker*, of *Alab*, *Williams*, of *M. ss.* 12.

NAYS.—Messrs. *Brown*, *Burrill*, *Dana*, *Dickerson*, *Horsely*, *Hunter*, *Johnson*, of *Lou.* *King*, of *N. Y.* *Lanman*, *Lloyd*, *Lowrie*, *Mellen*, *Parrot*, *Roberts*, *Ruggles*, *Sanford*, *Taylor*, *Thomas*, *Trimble*, *Wilson*—20.

Various amendments were proposed and differently acted upon—Finally, it was ordered to a third reading, as follows:

YEAS.—Messrs. *Burrill*, *Dickerson*, *Edwards*, *Horsely*, *Hunter*, *Johnson*, of *Lou*, *King*, of *N. Y.* *Lanman*, *Lloyd*, *Lowrie*, *Morrill*, *Noble*, *Palmer*, *Parrott*, *Roberts*, *Ruggles*, *Sanford*, *Taylor*, *Thomas*, *Trimble* 20.

NAYS.—Messrs. *Barbour*, *Dana*, *Eaton*, *Gaillard*, *Leake*, *Logan*, *Macon*, *Pleasants*, *Smith*, *Tichenor*, *Walker* of *Alabama*, *Williams* of *Miss.* *Williams* of *Ten.*—13.

A message was received from the president of the United States, by the hands of Mr. *Daniel Brent*, of the department of state, as follows:

To the senate and house of representatives of the United States:

I communicate to congress a correspondence which has taken place between the secretary of state and the envoy extraordinary and minister plenipotentiary of his catholic majesty, since the message of the 27th March last, respecting the treaty which was concluded between the United States and Spain, on the 2d of February, 1819.

After the failure of his catholic majesty for so long a time to ratify the treaty, it was expected that this minister would have brought with him the ratification, or that he would have been authorised to give an order for the delivery of the territory ceded by it, to the United States. It appears, how-

ever, that the treaty is still unratified, and that the minister has no authority to surrender the territory. The object of his mission has been, to make complaints, and to demand explanations, respecting an imputed system of hostility, on the part of citizens of the United States, against the subjects and dominions of Spain, and unfriendly policy in their government, and to obtain new stipulations, against these alleged injuries, as the condition on which the treaty should be ratified.

Unexpected as such complaints and such a demand were, under existing circumstances, it was thought proper, without compromising the government as to the course to be pursued, to meet them promptly, and to give the explanations that were desired, on every subject, with the utmost candor.

The result has proved, what was sufficiently well known before, that the charge of a systematic hostility, being adopted and pursued by citizens of the United States, against the dominions and subjects of Spain, is utterly destitute of foundation, and that their government, in all its branches, has maintained, with the utmost rigor, that neutrality, in the civil war between Spain and her colonies, which they were the first to declare. No force has been collected, nor incursions made, from within the U. States, against the dominions of Spain; nor have any naval equipments been permitted, in favor of either party, against the other. Their citizens have been warned of the obligations incident to the neutral condition of their country; the public officers have been instructed to see that the laws were fully executed; and severe examples have been made of some who violated them.

In regard to the stipulation proposed, as the condition of the ratification of the treaty, that the U. States shall abandon the right to recognize the revolutionary colonies in South America, or to form other relations with them, when, in their judgment, it may be just and expedient so to do, as it is manifestly so repugnant to the honor, and even to the independence, of the United States, that it has been impossible to discuss it. In making this proposal, it is perceived that his catholic majesty has entirely misconceived the principles on which this government has acted, in being a party to a negotiation so long protracted, for claims so well founded and reasonable, as he likewise has the sacrifices which the United States have made, comparatively, with Spain, in the treaty to which it is proposed to annex so extraordinary and improper a condition.

Had the minister of Spain offered an unqualified pledge that the treaty should be ratified by his sovereign, on being made acquainted with the explanations which had been given by this government, there would have been a strong motive for accepting and submitting it to the senate for their advice and consent, rather than resort to other measures for redress, however justifiable and proper. But he gives no such pledge. On the contrary, he declares explicitly that the refusal of this government to relinquish the right of judging and acting for itself hereafter, according to circumstances, in regard to the Spanish colonies—a right common to all nations—has rendered it impossible for him, under his instructions, to make such engagement. He thinks that his sovereign will be induced, by his communications, to ratify the treaty; but still he leaves him free either to adopt that measure, or to decline it. He admits that the other obligations are essentially removed, and will not, in themselves, prevent the ratification, provided the difficulty on the third point is surmounted. The result, therefore, is, that the treaty is declared to have no out-

gation whatever; that its ratification is made to depend, not on the considerations which led to its adoption, and the conditions which it contains, but on a new article unconnected with it, respecting which a new negotiation must be opened, of indefinite duration and doubtful issue.

Under this view of the subject, the course to be pursued would appear to be direct and obvious, if the affairs of Spain had remained in the state in which they were when this minister sailed. But it is known, that an important change has since taken place in the government of that country, which cannot fail to be sensibly felt, in its intercourse with other nations. The minister of Spain has essentially declared his inability to act, in consequence of that change. With him, however, under his present powers, nothing could be done. The attitude of the United States must now be assumed, on full consideration of what is due to their rights, their interest, and honor, without regard to the powers or incidents of the late mission. We may, at pleasure, occupy the territory, which was intended and provided by the late treaty as an indemnity for losses so long since sustained by our citizens, but still nothing could be settled definitively, without a treaty between the two nations. Is this the time to make the pressure? If the United States were governed by views of ambition and aggrandizement, many strong reasons might be given in its favor. But they have no objects of that kind to accomplish; none which are not founded in justice, and which can be injured by forbearance. Great hope is entertained that this change will promote the happiness of the Spanish nation. The good order, moderation, and humanity, which have characterized the movement, are the best guarantees of its success. The United States would not be justified in their own estimation, should they take any step to disturb its harmony. When the Spanish government is completely organized on the principles of this change, as it is expected it soon will be, there is just ground to presume that our differences with Spain will be speedily and satisfactorily settled. With these remarks, I submit it to the wisdom of congress, whether it will not still be advisable to postpone any decision on this subject until the next session.

JAMES MONROE.

Washington, 9th May, 1820.

The message was read and 1000 copies thereof, together with the accompanying documents, ordered to be printed.

The bill to allow the heirs of William and Elisha Winter to file a petition of right against the United States, was taken up, and the amendments reported thereto by the judiciary committee were agreed to; and the bill was ordered to be engrossed for a third reading, by yeas and nays—yeas 22, noes 7.

The report of the judiciary committee unfavorable to the petition of Peter Cardelli, sculptor, of Rome, was taken up and agreed to.

The seven bills yesterday ordered to a third reading, were accordingly read a third time, and passed.

HOUSE OF REPRESENTATIVES.

Friday, May 5. Immediately after the meeting of the house, Mr. Ford, of N. Y. rose, and after stating his approbation of the tariff bill and also of the auction bill, as a part of the system, moved that the latter should be postponed until the next session, in consequence of the failure of the latter in the senate.

A long debate followed. Many gentlemen spoke upon it. The following sketches of the remarks of Mr. Baldwin, chairman of the committee of manufactures, and of Mr. Smith, of Maryland, chairman of that of ways and means, may be sufficient to give a general view of the subject.

Mr. Baldwin assigned the reasons why he should vote in favor of the reconsideration. On the question to reconsider this bill the other day, with a view to revive it after its rejection, he had voted in the negative. The house would recollect that, when he moved to strike out 10 per cent. the amount of duty proposed to be laid on sales of dry goods, he had done so against his own opinion, believing that in that shape the bill would not answer the object he had in view. He was opposed to the reconsideration of the bill at that time, because he was of opinion that it was better to do nothing, or do what ought to be done.

The bill had now assumed an aspect totally different from that in which it was reported by the committee; it was now a mere revenue bill, or, if it would have any other operation, it would be a partial one, confined to one class of the community. As a revenue bill, he said, it had been well remarked by his colleague (Mr. Sergeant,) that its operation would be partial, and therefore unjust. It was now distinctly avowed by the committee of ways and means, that it was not their intention to introduce a new revenue bill. Let the house remark said Mr. B. that the system reported by the committee of manufactures would have had the effect to supply the deficiency in the revenue, let what alarm may have been raised on the score of the effect of the tariff bill on the revenue. But, the other part of the system being destroyed, he was not disposed to retain this disjointed branch of it. With respect to the auction duty, he had another objection to it. Whilst it was connected with a general system, for important general purposes, the states which derived a revenue from the same object would be willing to give it up. Now, no such purpose would be answered by the bill; and, as a representative of a state whose revenue would be impaired by it, he did not see why the interests of two states deriving revenue from this object, should alone be sacrificed, not to general but to partial views. The solitary object of this bill, besides putting a little money into the treasury, was to aid the merchants of this country in competition with those of another country in our markets. As a measure of revenue, he said, if the old system of revenue was good—if it had carried us so triumphantly through peace, and through war, there was no occasion for this little accession to it: and, if it was unsound and not to be relied on, this partial aid was not what it required. He should, therefore, in every view, vote for the reconsideration of the bill, and then for its postponement.

Mr. Smith, of Maryland, said, that, as a friend alike to the three great interests of the country, he should vote against the reconsideration of this bill. He should, he said, have preferred that the duty had been fixed at 10 per cent. on sales of dry goods; but at five per cent. much good would be effected by it. Besides he said, it is not the wholesale sales of foreign goods that so much affect our domestic manufactures; and on sales of *open* goods the duty is 10 per cent. Domestic manufactures could, under such a provision, be sent to auction without charge, whilst foreign goods would have to pay 10 per cent. Would not that be an important advantage to the American manufacturer? It was the sales at vendue, he said, that distressed our manu-

facturers, by obstructing the regular sales of their goods. If the foreign goods imported were, as heretofore, opened in the dry good stores, and sold out there to customers, our manufacturers might come into competition with them; but it is the recent change of the usual habits of trade that oppresses our manufacturers and recommends the passage of this bill. To the commerce of the country this would also be beneficial. As a revenue bill, its passage would be important: the product of it could not be less to the treasury than 500,000 dollars annually. In every point of view, he considered this bill one which it was important to pass. A little experience had taught him to believe that this bill would be even more important as an encouragement to our manufactures than the tariff bill.

Messrs Livermore, Mc Lean, of Ky. Campbell, Storrs, Foot, Fuller, Little, and Mc Lane, of Del. were opposed to a reconsideration—Messrs Rhea, Johnson, of Va. and R. Moore supported the motion. Finally, it was agreed to reconsider it, by yeas and nays—yeas 86, nays 65.

Mr. Baldwin then moved that the bill be indefinitely postponed, but afterwards varied his motion to a postponement of the bill until the next session of congress.

This motion was decided, without further debate, in the affirmative, by the following vote:

YEAS—Messrs. Alexander, Allen, of N. Y. Anderson, Archer, of Va. Baker, Baldwin, Ball, Barbour, Bayly, Boden, Brevard, Bryan, Buffum, Burton, Burwell, Butler, of Lou. Cannon, Clarke, Cook, Culpepper, Darlington, Denison, D. Witt Dickinson, Downs, Edly, Edwards, of Conn. Edwards, of N. C. Fisher, Floyd, Ford, Fullerton, Garrott, Gross, of N. Y. Gross, of Penn. Hackley Hall, of N. Y. Hall, of N. C. Hardin, Hazard, Hendricks, Herrick, Hibbard, Hyster, Holmes, Hooks, Hostetter, Johnson, Jones, of Va. Kendall, Kent, Livermore, Lowndes, Lyman, Maclay, McCoy, Marchand, Mason, Mercer, R. Moore, S. Moore, Neale, Nelson, of Mass. Nelson, of Va. Overstreet, Parker, of Va. Patterson, Philson, Pinckney, Pintall, Pitcher, Richmond, Rogers, S. Settle, Shaw, Silberman, Sloan, Smith, N. Y. Stevens, Strong, N. Y. Swearingen, Tarr, Taylor, Tracy, Tucker, of S. C. Walker, Wallfield Williams of N. C.—88.

NAYS—Messrs. Adams, Allen, of Tenn. Archer of Md. Bateman, Bloomfield, Brown, Brush, Butler, of N. H. Campbell, Case, Claggett, Cooke, Crafts, Crawford, Culbreth, Cushman, Earl, Edwards, Penn, Folger, Fox, Forrest, Fuller, Gayton, Hill, Jones, of Tenn. Kinsey, Little, Linn, McCrary, McLane, of Del. McLean, of Ky. Mallory, Meigs, Metcalf, Morton, Murray, Newton, Parker, of Mass. Rankin, Rhea, Rich, Ringgold, Robertson, Ross, Russ, Sampson, Sawyer, Smith, of N. J. Smith, Md. Southard, Storrs, Street, Strong, of Vt. Terrell, Tomlinson, Tompkins, Trimble, Tucker, of Va. Wendover, Whitman, Williams, of Va. and Wood.—62.

So the bill was POSTPONED to the next session of congress.

Mr. Jones moved to take up the bill providing compensation for horses, &c. lost or destroyed in the Seminole war, but the motion was overruled, yeas 50, nays 59.

Mr. Pinckney laid on the table the following proposition, to amend the rules of the house:

Resolved, That in future a bill that has passed this house shall not be carried to the senate for two hours after the reading of the journal the next day, except in the two last days of the session.

The bill from the senate to renew the charter of the city of Washington, was read the third time as amended, passed and sent to the senate for concurrence in the amendments.

The house then again resolved itself into a committee of the whole, Mr. Smith of North Carolina in the chair, on the loan bill—Mr. Trimble's proposition to strike out the words *two millions*, being under consideration,

Mr. Storrs supported the amendment—he considered the sinking fund as sacredly pledged for the redemption of the public debt. Mr. Barbour maintained the ground that congress had a right to dispose of the surplus of the sinking fund at pleasure. Mr. Clay took the opposite side—he thought

the sinking fund formed one of the most essential features in the permanent systems of the government. He spoke at length on the present exigencies of the treasury and its probable condition, and believed that the deficit would much exceed the estimate. Mr. Barbour rejoined. Mr. Fuller remarked that if the public debt was paid at its appointed time, the pledge of government was fulfilled, &c. Mr. Lowndes argued in favor of using the surplus of the sinking fund. Mr. Clay replied. Mr. Smith, of Md. entered into an elaborate defence of the report of the committee of ways and means, and the course recommended by them.

The question was then taken on striking out the word *two*, and carried.

After which, Mr. Smith, of Md. moved three millions—Mr. Trimble five—Mr. Williams of N. C. two millions and a half. The blank was filled up with three—ayes 65, nays 50, and the rate of interest fixed at 5 per cent. Mr. Lowndes proposed to make the loan reimbursable at the pleasure of government—after debate, negatives, yeas 30. Mr. Baldwin moved to insert a clause to authorise the sale from time to time of so much of the stock of the bank of the United States, owned by the U. States, as may be necessary to meet the expenses of government for the current year.

The motion was supported by Mr. Baldwin, and was opposed by Messrs. Clay, and Smith, of Md. The amendment was negatived—ayes 10.

The committee then proceeded to the consideration of the resolution which was referred to it, calling on the secretary of the treasury to prepare and lay before congress, at its next session, a system of internal revenue.

Mr. Clay hoped the committee would reject this resolution. The executive, he said, had the power of the veto, and he thought it would be going too far to give to it also the power of originating measures.

The resolution was rejected by the committee without a division; and

The committee then rose, and reported their proceedings to the house, and

The house adjourned.

Saturday, May 6. Several bills passed through different stages.

The house took up for consideration the message of the senate disagreeing to the amendment of this house, to the bill providing for clothing the army of the United States in domestic manufactures. [This amendment provides that the difference in price between the domestic material and the foreign material of the same quality, contracted for or purchased for army clothing, shall not exceed five per centum.]

Mr. McLean, moved that the house do insist on its amendment; and

This motion was determined in the affirmative, 64 votes to 47.

The report of the committee of the whole on the loan bill was first in the orders of the day;

And, being taken up,

Mr. Cooke moved to lay it on the table—information might be received which would affect the expenditures, and there was time enough to act on the bill. This motion was agreed to by a small majority.

The rest of the day was spent on the annual bill for altering and establishing certain post roads; and it was ordered to a third reading—after which, The house adjourned.

Monday, May 8. Mr. Mercer, from a select committee, made a report on the subject of the slave

trade generally, as brought to the notice of congress by the memorial of the American colonization society; which report was referred to a committee of the whole, to whom is referred the bill from the senate, for the further punishment of the crime of piracy.

Mr. M. also reported a bill to incorporate "the American society for colonizing the free people of colour of the United States."

Mr. M. also reported the following resolution:

Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That the president be requested to consult and negotiate with all the governments, where ministers of the U. States are, or shall be accredited, on the means of effecting an entire and immediate abolition of the African slave trade.

Resolved, &c. That the president be requested to enter into a stipulation or formal declaration, with the several maritime powers, recognizing the independence and permanent neutrality of any colony of the free people of colour of the United States, which shall be established on the western coast of Africa.

Resolved, &c. That the president be requested, in such use as he may deem it expedient to make of the public ships of the U. States, to afford every aid, not inconsistent with the public welfare, to the efforts of the American society for colonizing the free people of colour of the United States, upon the western coast of Africa.

The bill and resolves were referred to the same committee as the report.

The engrossed bills respecting certain post roads, was passed. Other business being transacted, the house resolved into a committee of the whole. Mr. Livermore in the chair, on the bills for the adjustment of certain land titles in Louisiana, Missouri, and Arkansas.

A great deal of debate took place on these bills, which occupied the remainder of the day. They were reported to the house, but not finally acted on.

Tuesday, May 9. Mr. Storrs, from the committee on roads and canals, to which was referred the bill from the senate, "to authorise the appointment of commissioners, to lay out the road therein mentioned," reported the same without amendment; and it was referred to a committee of the whole.

Mr. Pindall then introduced, with some observations, shewing the grounds on which he deemed it necessary, a *joint resolution*, the object of which was, to declare, that the instalments of revolutionary pensions which will become due on or before the 4th day of September, should be paid in like manner as if the act to amend that act, passed at the present session, had not become a law.

The question to consider this resolution was taken by yeas and nays, and decided in the affirmative, by 66 votes to 57.

The resolution was then read a second time.

Mr. M^r Leav of Ky. moved to refer it to a committee of the whole, and make it the order of the day for to-morrow. On this motion there took place some debate: at length, the yeas and nays being ordered, on the suggestion of Mr. Taylor. Mr. M^r Leav withdrew his motion to save time. Mr. Reid renewed the motion, and Mr. Williams, of N. C. supported it.

The yeas and nays were then again ordered on the question, on suggestion of Mr. Taylor. It was decided in the negative 79 to 62.

Whereupon, a debate arose, which consumed much time, on the principle of the resolve.

The question was at length taken, by yeas and nays, on ordering the resolve to be engrossed for a third reading, and agreed to by 85 votes to 67.

The house proceeded to consider the message from the senate, respecting the amendments of this house to the bill for the establishment of certain land offices. The senate agrees to the amendments of this house, except that one which proposes to establish an additional land office in Indiana.

Mr. Anderson moved that this house do recede from this amendment. No hardship could result from so doing; there being, without this, already three land offices in Indiana.

Mr. Hendricks proposed that the house should insist on its amendments. The extent and population of the state required more land offices.

On the question to recede from this amendment, it was determined in the affirmative, 57 to 53.

Another message was received from the senate, relative to the bill renewing the charter of Washington city, adhering to the amendments thereto disagreed to by the house, and asking a conference. On motion of Mr. Kent, the conference was agreed to.

The amendments of the senate to the bill from the house, for regulating the publication of the laws, were taken up.

After a smart debate, a motion to postpone the bill indefinitely, was negatived, yeas 44. Then the message of the president, (recorded in the proceedings of the senate of this day), was received, the reading of which and the accompanying documents, occupied the remainder of this day's sitting.

Wednesday, May 10. Mr. Taylor, from the committee on the subject, introduced a bill to fix the time for the next meeting of congress, viz. the 2d Monday in November next, instead of the first Monday in December.

In assigning the reasons of the committee for reporting this bill, Mr. T. stated the number of bills now pending in this house, the consideration of nearly the whole of which would be necessarily deferred to the next session of congress. Of bills originating in the house there are now pending, of a public nature, 38; of a private nature, 16. Of bills which originated in the senate, there are, of a public nature, 21; of a private nature, 31—making a total number of bills pending, 106.

The bill was twice read; and, after some little debate, the question was taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative by the following vote:

YEAS—Messrs. Adams, Baker, Baldwin, Beecher, Bloomfield, Butler, N. H. Butler, Lou. Cannon, Case, Claggett, Clark, Cocke, Cook, Culbreth, Culp, Cushman, Darlington, Dewitt, Eddy, Edwards, Con. Edwards, Fern. Folger, Frost, Forrest, Fullerton, Gross, N. Y. Guyon, Hackley, Hall, N. Y. Hardin, Hibbsman, Hill, Holmes, Hotter, Jones, Tenn. Kendall, Kinney, Kinsley, Little, Livermore, Lyman, Mallory, Marchand, R. Moore, S. Moore, Newton, Phelps, Philson, Pinckney, Pitcher, Rhoads, Ross, Sampson, Sawyer, Shaw, Sloan, Smith, of N. J. Smith, Md. Stevens, Storrs, Strong, N. Y. Taylor, Tomlinson, Tompkins, Tracy, Wallace, Whitman, Wood—50.

NAYS—Messrs. Alexander, Allen, N. Y. Allen, Tenn. Anderson, Archer, of Md. Archer, of Va. Barbour, Bateman, Boden, Eberard, Bryan, Burwell, Cobb, Crafts, Crawford, Crowell, Cuthbert, Dickinson, Earle, Edwards, N. C. Fisher, Floyd, Gross, Pa. Hall, N. C. Hester, Johnson, Jones, Va. Linn, McCoy, McCrary, McLane, of Del. McLane, of Ken. Mairs, Metcalf, Murray, Neale, Nelson, of Mass. Nelson, Va. Parker, Va. Patterson, Pindall, Reed, Rich, Richmond, Robertson, Ross, Sergeant, Siskew, Simpkins, Smith, N. C. Terr, Terrill, Trimble, Tucker, Va. Tucker, S. C. Walker, Williams, of Va. Williams, of N. C.—50.

The bill was subsequently read a third time, passed, and sent to the senate for concurrence.

On motion of Mr. Taylor, it was

Resolved, That a committee be appointed, jointly with such committee as may be appointed by the

senate, to enquire and report what subjects before the two houses are proper to be acted on during the present session of congress.

Mr. Taylor, Mr. Williams, of N. C. Mr. Smith, of Md. Mr. Sergeant, and Mr. Lowndes, were appointed a committee accordingly, on the part of this house.

Mr. Strong, of N. Y. submitted the following resolution for consideration:

Resolved, That a committee be appointed to ascertain, and report to the next session of congress, the amount of claims upon the United States in favor of American citizens, growing out of the last war with Great Britain, the Creek war, and the Seminole war, designating the names of the claimants, and the sum or sums which, in their opinion, shall be equitably and fairly due to each; and also as to the expediency of providing for the payment of the same, by an issue of stock, bearing an interest of — per cent. per annum, redeemable at the pleasure of the United States, out of the proceeds of the sales of public lands.

The bill from the senate "supplementary to the several acts for the adjustment of land claims in the state of Louisiana," was read the third time and passed.

The engrossed resolution to suspend, for a limited time, the act in addition to the act "to provide for certain persons engaged in the land and naval service of the United States, in the revolutionary war," was read the third time.

The question on the passage of the resolve was decided affirmatively, by yeas and nays, 78 to 68; and it was sent to the senate for concurrence.

The house then resolved itself into a committee of the whole, on the state of the union, Mr. Taylor in the chair; and the following resolves were taken into consideration:

Resolved, That it is expedient to provide by law a suitable outfit and salary for such minister or ministers as the president, by and with the advice and consent of the senate, may send to any of the governments of South America, which have established, and are maintaining, their independence on Spain.

Resolved, That provision ought to be made for requesting the president of the United States to cause to be presented to the general the most worthy and distinguished, in his opinion, in the service of any of the independent governments of South America, the sword which was given by the vice-roy of Lima to capt. Riddle, of the Ontario, during her late cruise in the Pacific, and which is now in the office of the department of state, with the expression of the wish of the congress of the United States that it may be employed in the support and preservation of the liberties and independence of his country.

The second of these resolves, for reasons stated by Mr. Clay, was withdrawn by him.

The first resolve gave rise to considerable debate—finally, it was reported to the house.

Mr. Cook moved to amend the resolve, by adding: "and that it is expedient to provide for the occupation of East and West Florida." Whereupon; the previous question, which precludes all debate and amendments, was called for and determined in the affirmative; and the main question, on agreeing to the said first resolve, as above stated, was decided as follows:

YEAS.—Messrs. Allen, of N. Y. Allen, of Tenn. Anderson, Archer, of Va. Baker, Ball, Blateman, Beecher, Bloomfield, Bolen, Brown, Butler, of Lou. Campbell, Cannon, Case, Clark, Cooke, Crawford, Crowell, Culbreth, Culpepper, Cuthbert, Darlington, Dewitt, Dowse, Earle, Fisher, Floyd, Ford, Fullerton, Gross, of N. Y. Guyon, Hackley, Hall, of N. C. Hendricks, Herrick, Hibbs,

man, Holmes, Hostetter, Johnson, Jones, of Va. Jones, of Tenn. Kinsey, Kinsley, Linn, Lyman, McCreary, McLean, of Ken. Mallory, Marchand, Metcalf, R. Moore, S. Moore, Monell, Murray, Overstreet, Parker, of Mass. Patterson, Phelps, Philson, Pitcher, Plumer, Richmond, Robertson, Rogers, Ross, Shaw, Sloan, Southard, Stevens, Storrs, Tarr, Tomlinson, Tompkins, Tracy, Trimble, Walker, Wallace, Warfield, Williams, of Va.—80.

NAYS.—Messrs. Abbott, Adams, Alexander, Archer, of Md. Baldwin, Barbours, Bayly, Brash, Bryan, Burton, Burwell, Butler, of N. H. Claggett, Cobb, Cook, Crafts, Cushman, Dennison, Eddy, Edwards, of Conn. Edwards, of Penn. Edwards, of N. C. Ervin, Folger, Foot, Forrest, Fuller, Gannett, Goss, of Penn. Hall, of N. Y. Harlin, Hester, Hill, Kendall, Kent, Little, Livingston, Lowndes, McClay, McCoy, McLane, of Del. Meigs, Merces, Neale, Nelson, of Mass. Nelson, of Va. Parker, of Va. Pinckney, Pindall, Reed, Rhoads, Rich, Ringgold, Russ, Sampson, Sawyer, Sergeant, Silsbee, Simkins, Smith, of N. J. Smith, of Md. Smith, of N. C. Street, Strong, of Vt. Strong, of N. Y. Swearingen, Taylor, Terrell, Tucker, of S. C. Van Rensselaer, Wendover, Whitman, Williams, of N. C. Wood—75.

And the house adjourned.

THURSDAY'S PROCEEDINGS.

In the senate—May 10. The bill respecting E. and M. Winter was passed—some time was spent on the bill granting the right of pre-emption to actual settlers on the public lands. The senate insisted in their disagreement with the house respecting the bill for clothing the army. Several bills were ordered to be read a third time, and a part of this day was spent in the consideration of executive business.

May 11. The resolution from the house, fixing an earlier day than usual for the meeting of the next session, was indefinitely postponed—23 to 13.

The other proceedings are not of general importance—or, to be noticed hereafter.

House of representatives, May 11. A variety of business was passed over this day; and especially a bill to reduce the military establishment as to officers, &c. as soon as vacancies should occur, &c. Finally, it was laid upon the table.

Mr. Clay then submitted a resolution, which being immaterially amended, stood in the following form:

Resolved, That the secretary of war be directed to report to this house, at the commencement of the next session of congress, a plan for the reduction of the army to six thousand officers, non-commissioned officers, musicians and privates, and preserving such parts of the corps of engineers as, in his opinion, without regard to that number, it may be for the public interest to retain; and, also, what saving of the public revenue will be produced by an arrangement of the army as he may propose in conformity to this resolution.

After some few remarks from different gentlemen, this resolution was agreed to.

Mr. Simkins then offered the following resolution, the subject thereof being in a manner connected, as he had observed, with that just agreed to.

Resolved, That the secretary of the navy be requested to report to this house, at an early period of the next session, such plan or plans for a navy peace establishment as he may deem expedient, with a view to a reduction of the expenditures of that establishment.

On the question to agree to this resolve, it was decided in the negative, 60 to 49.

The committee of the whole on the state of the union then rose, and reported to the house the resolution which had been agreed to.

Mr. Smith, of Maryland, moved to amend the resolve by striking out the word "officers," so as to leave the number 6000, exclusive of officers. This motion was agreed to, 58 to 52.

Mr. Williams, of North Carolina, moved further to amend this resolve by inserting, after the word "men," the words "including such reduction of

the general staff required by the state of the army as herein proposed," and the motion was agreed to.

The resolution, as amended, was then agreed to.

The bill further to prevent the crime of piracy was ordered to a third reading.

Particulars in our next—as necessary.

CHRONICLE.

Died, at Boston, on the 5th inst. in the 68th year of his age, *Benjamin Austin*, esq. One of the most constant whigs that ever lived, and well meriting, in every respect, the favorite signature under which he wrote of "*Honestus*." As a political writer, he is perhaps best known as the author of a series of essays signed "*Old South*." To the last, he was in friendship and frequent correspondence with nearly all the eminent men, yet remaining, of those who made the declaration, or supported it, "that these states were, and of right ought to be, free, sovereign and independent."

At Tangiers, (Morocco,) on the 8th of March, suddenly of a fit of apoplexy, *James Simpson*, esq. consul of the United States for the empire of Morocco. Mr. Simpson had for nearly 20 years officiated in that capacity, with honor to himself, and to the great advantage to his adopted country.

in Rehoboth, (R. I.) *Joseph Goffe*, esq. in the 95th year of his age; also *Patience Goffe*, wife of Joseph Goffe, in the 89th year of her age. They had lived together in the marriage state 71 years, and had 14 children, 57 grand children, and 91 great grand children.

At Reading, Pa. six valuable houses and their appendant buildings, were consumed by fire on the morning of the 6th inst.

New York election. The returns are now in sufficiently to shew that governor Clinton has been re-elected by a majority of more than 2000 votes; yet in the assembly there is about 20 of a majority of the members said to be opposed to him. Particulars hereafter.

Counterfeit bills, on the Planters bank of Georgia, of the denominations of 50 and 100 dollars, are in circulation.

Alarmingly forgeries. The bills of the denomination of \$500 and \$30, of the parent bank of the U. States, have been counterfeited and pretty extensively circulated. They are well done. The bank has very commendably come forward to proclaim the fact, and put the people on their guard. These notes are not of the engraving of Murray, Fairman, & Co. as all the other notes issued by the bank are. This may assist to detect them—but the public will do well to refuse to receive any note of the parent bank—i. e. a note of the bank of the U. S. payable at Philadelphia, of the denominations above stated, until further advised. The directors, to their honor, have resolved not to re-issue any notes of the plate counterfeited.

Piracy—A person named *Hobson* or *Furlong* (who however, denied both names), believed to be a native of Ireland, was recently executed at Savannah, for murder and piracy. Three others, under sentence of death for the latter crime, were respited by the president until the middle of June next.

Georgia begins to enjoy a share of the benefits of steam navigation; two heavily loaded boats towed a part of the way by a steam boat, reached Milledgeville in 16 days from Darien. Without such aid, it would have taken them 40 days to ascend the river.

The great canal. We observe that a boat called *Montezuma*, fitted up for the transportation of pas-

sengers, has commenced her "regular trips" on the canal, and it is calculated that she will perform the voyage from Utica to the Seneca river, a distance of ninety four miles, in 24 hours!

Merino sheep. Messrs Young and son, on the Brandywine, offer for sale the excess of their merino flock, at 5\$ for full blood, payable in cash, or opuntia produce, at its cash price.

Alabama lands. Cahaba, April 1.—The amount of sales of public lands, during the month of January last, is seven hundred and ninety-three thousand two hundred and fifty-six dollars, and seventy-seven cents, with the customary reserves deducted, and also several of the most valuable fractions on the Alabama river, reserved for a college.

Missouri. We were much interested by the papers last received from St. Louis. The people are "all alive" about the election of members to the convention to form a state constitution. Adverse tickets are offered—for or against the prohibition of slavery, divides the citizens into ardent parties. It appears too, that some have advocated a restriction of the right of voting to freeholders, and that elections shall be held *vive voce*! This unjust and absurd thing is opposed by those opposed to slavery; though it does not appear to be much advocated by the other side, openly. So far as we are able to judge at this distance and from the small means afforded to form an opinion, we should suppose that those opposed to the further admission of slaves are a very strong party, and we sincerely hope that they will be found to be the strongest.

Constitution of Spain.

PROMULGATED AT CADIZ ON THE 19TH OF MARCH, 1812.

DON FERDINAND the seventh, by the grace of God and the constitution of the Spanish monarchy, king of Spain; and, during his absence and captivity, the regency of the kingdom appointed by the general and extraordinary cortes, to all to whom these presents shall come:—know ye, that the said cortes have decreed and sanctioned the following

CONSTITUTION OF THE SPANISH MONARCHY.

In the name of Almighty God, Father, Son, and Holy Ghost, the author and supreme legislator of the universe: The general and extraordinary cortes of the Spanish nation, being fully convinced, after a most careful examination and mature deliberation, that the ancient fundamental laws of this monarchy, with proper auxiliary measures and precautions calculated to secure their steady and permanent execution, are fully adequate to the accomplishment of the great object of promoting the glory, prosperity and happiness of the whole nation, do decree the following constitution for the good government and regular administration of the state:

TITLE I.

Of the Spanish nation, and of Spaniards.

CHAPTER I.

Of the Spanish nation.

Article 1. The Spanish nation consists of all the Spaniards of both hemispheres

Art 2. The Spanish nation is free and independent, and neither is nor can be the patrimony of any family or person whatever.

Art. 3. The sovereignty resides essentially in the nation; in consequence whereof it alone possesses the right of making its fundamental laws.

Art 4. The nation is bound to maintain and protect, by wise and equitable laws, the civil liberty, property, and other legal rights of the individuals who compose it.

CHAPTER II.
Of Spaniards.

Art. 5. Those are Spaniards who come within some one or other of the following descriptions, to wit:

1 All freemen, born and residing within the Spanish dominions, and their children.

2 All foreigners naturalized by the cortes.

3. Those who, although not so naturalized, have resided in any part of the monarchy during the space of ten years, according to law.

4 All freedmen in the Spanish dominions, as soon as they have obtained their freedom.

Art. 6. One of the principal obligations of a Spaniard is to love his country, and to practise humanity and justice.

Art. 7. It is the duty of every Spaniard to be faithful to the constitution, obey the laws, and respect the constituted authorities.

Art. 8. He is also bound to contribute, without any distinction, according to his ability, to the charges of the state.

Art. 9. And likewise to take up arms for the defence of his country, when by law required.

TITLE II.

Of the territory, religion, and government of Spain, and of Spanish citizens.

CHAPTER I.

Of the territory of Spain.

Art. 10. The Spanish territory in the peninsula, together with its possessions and adjacent islands, comprehends Arragon, Asturias, Old Castile, New Castile, Catalonia, Cordova, Estremadura, Galicia, Granada, Jaen, Leon, Molina, Murcia, Navarre, the provinces of Biscay, Seville, and Valencia; the Balearic and Canary islands, with the other possessions in Africa; in North America, New Spain and New Galicia, and the peninsula of Yucatan, Guatemala, and the interior provinces of the East and West, the island of Cuba, and the two Floridas, the Spanish part of the island of St. Domingo, the island of Porto-Rico, together with the islands adjacent to those and to the continent in both seas; in South America, New Granada, Venezuela, Peru, Chili, the provinces of Rio de la Plata, and all the adjacent islands in the Pacific and Atlantic oceans; in Asia, the Philippine islands and their dependencies.

Art. 11. As soon as the political circumstances of the nation will allow it, a more suitable division of the Spanish territory shall be determined by a constitutional law.

CHAPTER II.

Of religion.

Art. 12. The Roman catholic and apostolic religion, the only true one, is and always shall be, that of the Spanish nation; the government protects it by wise and just laws, and prohibits the exercise of any other whatever.

CHAPTER III.

Of government.

Art. 13. The government has for its object the happiness of the nation, for the only end of all political associations is the welfare of all its members.

Art. 14. The government of the Spanish nation is an hereditary monarchy, moderated by laws.

Art. 15. The legislative power belongs to the cortes, together with the king.

Art. 16. The executive power belongs to the king.

Art. 17. The judicial power, in civil and criminal cases, resides in the tribunals established by law.

CHAPTER IV.

Of Spanish citizens.

Art. 18. Those are Spanish citizens who are born of Spanish parents in any part of the Spanish dominions, and reside in the said dominions.

Art. 19. Foreigners who, already enjoying the rights of Spaniards, have obtained from the cortes letters of citizenship.

Art. 20. A foreigner, to obtain such letters, must have married a Spanish woman, and have established or introduced into the Spanish dominions some profitable invention or manufactory, or possess real property on which he has paid direct taxes, or carry on trade, and have a stock of his own deemed sufficient by the cortes, or have rendered eminent services advantageous to the nation, or in its defence.

Art. 21. Those are also Spanish citizens who are the legitimate children of foreigners born in the Spanish dominions, who have never gone abroad without leave of the government, are full twenty-one years of age, and reside in any part of the said dominions, and exercise any office, profession, or useful trade whatever.

Art. 22. To Spaniards born in Africa, from whatever stock or lineage, the way to citizenship is open, and they may acquire it by their virtue and merit; and the cortes shall grant letters of citizenship to those who shall render the country eminent services, or shall distinguish themselves by their talents, application and good character; provided they are born of free parents united in lawful wedlock, are married to a free woman, and reside in the Spanish dominions, and follow a profession, occupation, or useful trade, with their own means.

Art. 23. Those only who are citizens are capable of obtaining civil offices, and of electing persons to fill them, when by law required.

Art. 24. The rights of Spanish citizenship are lost,

1. By being naturalized in another country;

2. By accepting an employment from a foreign government;

3. By being sentenced to a corporeal or ignominious punishment, unless afterwards restored to civil rights by a competent authority;

4. By residing out of the Spanish territory for the space of five successive years, without being commissioned by or having obtained leave from the government.

Art. 25. The exercise of the rights of citizenship is suspended—

1. By a judicial decree on account of moral or physical incapacity;

2. By becoming a bankrupt, or being indebted to the treasury;

3. By being a domestic servant;

4. By having no employment, occupation, or well known means of support;

5. By being under criminal prosecution;

6. And, from and after the year 1830, by being unable to read and write.

Art. 26. The rights of citizenship can only be lost or suspended in the cases mentioned in the two last articles.

TITLE III.

Of the Cortes.

CHAPTER I.

How the cortes are to be assembled.

Art. 27. The cortes are a meeting of all the representatives of the nation, appointed by the citizens in the manner hereafter described.

Art. 28. The basis of the national representation is the same in both hemispheres.

Art. 29. That basis is the people, composed of natives, whose parents and ancestors were born in the Spanish dominions, and of those who have obtained citizenship from the cortes, and those mentioned in the 21st article.

Art. 30. The population of the European domi-

nions shall be computed from the census of 1797, until a new one can be made: a census of the ultramarine dominions shall also be made; for the present their population shall be computed from the most authentic census among the last made.

Art. 31. Each portion of the population, amounting to seventy thousand souls, shall send one deputy to the cortes, conformably to the provisions of the 29th article.

Art. 32. If, after a distribution of the population among the several provinces, it shall happen that in any of them there shall be a surplus of more than thirty-five thousand souls, they shall appoint another deputy in the same manner as if they amounted to seventy thousand: but if their number does not exceed thirty-five thousand, they shall have no right to appoint a deputy.

Art. 33. Any province, the population of which shall not amount to seventy thousand, but shall not be less than sixty thousand, shall appoint a deputy; but, if it be under that number, it shall be added to that of the next province, in order to complete the required number of seventy thousand. The island of St. Domingo is excepted from the provisions of this article, and shall appoint a deputy, whatever be the amount of its population.

CHAPTER II.

Of the election of deputies to the cortes.

Art. 34. Electoral meetings shall be held in parishes, districts, and provinces, in order to elect deputies to the cortes.

CHAPTER III.

Of electoral meetings of parishes.

Art. 35. The electoral meetings of parishes shall be composed of all the citizens residing in and inhabiting the respective parishes, including the secular clergy.

Art. 36. In the peninsula, islands, and adjacent possessions, these meetings shall always be held on the first Sunday of October, in the year next preceding that of the meeting of the cortes.

Art. 37. In the ultramarine provinces they shall be held on the first Sunday of December, fifteen months before the meeting of the cortes. In both cases previous notice shall be given by the magistrates.

Art. 38. The parish meetings shall appoint one elector for each two hundred inhabitants.

Art. 39. If the inhabitants of the parish amount to more than three hundred, they shall, although not amounting to four hundred, appoint two electors; if their number is above five hundred, they shall appoint three electors, although their number shall not amount to six hundred; and so on progressively.

Art. 40. In those parishes where the number of inhabitants shall not amount to two hundred, but shall not be under one hundred and fifty, they shall nevertheless appoint one elector; and the inhabitants of those parishes whose population does not amount to one hundred and fifty shall be united to those of the next parish, and they shall together elect one or more electors, according to their numbers.

Art. 41. The parish meeting shall elect, by a majority of votes, eleven commissioners, who shall nominate one parish elector.

Art. 42. If the parish meeting shall furnish two electors, they shall elect twenty-one commissioners, and thirty-one, if they have the nomination of three; and, in order to avoid confusion, the number of commissioners shall in no case exceed thirty-one.

Art. 43. It will be observed, that, for the greater convenience of small places, those parishes which

contain twenty inhabitants shall nominate one commissioner; those which contain from thirty to forty shall nominate two; those which contain from fifty to sixty shall nominate three; and so on progressively. Those parishes whose inhabitants do not amount to twenty shall be joined to the next parish for the election of one commissioner.

Art. 44. The commissioners of small places thus nominated shall assemble in the most convenient town, and, being eleven or at least nine, shall elect one parish elector. If their number amounts to twenty-one or at least seventeen, they shall elect two; if thirty-one and not less than twenty-five be present, they shall elect three, and so on progressively.

Art. 45. No man can be chosen parish elector unless he is a Spanish citizen, above five and twenty years of age, and an inhabitant residing in the parish.

Art. 46. The parish meeting shall be presided over by the principal civil officer, or by the mayor of the city, town, or village where they shall be held; and, in order to give a greater solemnity to the election, they shall be assisted by the rector of the parish. And if, in consequence of the number of its parishes, two or more meetings should be held at the same time in the same city or town, one of them shall be presided over by the principal civil officer, or by one of the alcaldes, another by the other alcalde, and the rest each by one of the regidores or aldermen, to be chosen by lot.

Art. 47. The voters being assembled at the town house, or at the usual place, they shall, at the appointed hour, headed by their president, proceed to the parish church, where the rector of the parish shall celebrate a solemn mass to the Holy Ghost, and shall deliver a discourse suitable to the occasion.

Art. 48. After divine service they shall return to the place from whence they came, and the meeting shall proceed to the nomination of two inspectors and one secretary, who shall be taken from among the voters present, the doors of the hall remaining open.

Art. 49. This being done, the president shall enquire whether any voter has a complaint to make of a bribe having been offered for the election of a particular person. In that case an affidavit of the fact shall be taken in a solemn and public manner, during the sitting. The accusation being proved, the offenders shall be deprived of their rights of suffrage: and those whose accusations are unsupported by proof shall, in like manner, be deprived of the said right; and from this sentence there shall be no appeal.

Art. 50. If there should be any doubt respecting the qualifications of any citizen to vote, the meeting shall decide on it during the session, and their decision shall be carried into effect, and without any appeal therefrom.

Art. 51. The election of commissioners shall immediately follow, each voter designating a number of persons equal to that of the commissioners required; and for that purpose he shall draw near the table placed before the president, inspectors, and secretary, and their shall write down their names in the presence of the said officers. No voter shall inscribe his own name on the list of candidates in any election, on pain of losing his right of voting.

Art. 52. This being over, the president, inspectors, and secretary shall carefully examine the lists, and the president shall, in an audible voice, publish the names of those who by a majority of votes have been elected commissioners.

Art. 53. Prior to the adjournment of the meeting, the commissioners elect shall withdraw to a private room, and shall proceed to nominate one or more electors for the parish which they represent, and the person or persons who shall obtain more than one half of the votes shall be appointed elector. The said election shall be afterwards published in the meeting.

Art. 54. The secretary shall make a record of the proceedings, which shall be signed by him, the president, and the commissioners, and a copy of it, authenticated by the above-mentioned persons, shall be delivered to the member or members elect, as evidence of his or their election.

Art. 55. No citizen can excuse himself from any of the above public duties, under any pretence whatever.

Art. 56. No citizen shall appear at the parish meeting with sword or other arms.

Art. 57. The election being verified, the meeting shall immediately be dissolved. Every other act of the said meeting shall be null and void.

Art. 58. The members of the meeting shall proceed to the parish church, where a solemn *Te Deum* shall be sung. The elector or electors shall be placed between the president, inspectors, and secretary.

CHAPTER IV.

Of electoral district meetings.

Art. 59. The electoral district meetings shall be composed of the parish electors, who shall assemble in the chief town of the district, in order to nominate the elector or electors who are to repair to the chief city of the province to elect deputies to the cortes.

Art. 60. In the peninsula and adjacent islands those meetings shall always be held on the first Sunday in November, in the year next preceding that of the meeting of the cortes.

Art. 61. In the ultramarine provinces the said meetings shall be held on the first Sunday of January next following the month of December in which the parish meetings shall have been held.

Art. 62. In order to ascertain the number of electors who are to be nominated by each district, the following regulations shall be observed.

Art. 63. The number of district electors shall be three times greater than that of the deputies whom they shall have to elect.

Art. 64. If it shall happen that in one province the number of districts shall exceed that of the electors required by the next preceding article for the nomination of deputies, each district shall nevertheless nominate one elector.

Art. 65. If the number of districts shall be less than the requisite number of electors, each district shall nominate one, two, or more, until the necessary number be completed; but if one elector be still wanted, he shall be nominated by the most populous district; if two, the next most populous district shall nominate the second; and so on progressively.

Art. 66. Agreeably to the 31st, 32d, 33d, 63d, 64th, and 65th articles, the census shall determine the number of deputies to be nominated by each province, and how many electors each of its districts shall appoint.

Art. 67. The electoral district meetings shall be presided over by the principal civil officer or mayor of the chief town of the district, before whom the parish electors shall appear, provided with the proper proofs of their election, in order that their names may be inscribed on the records of the meeting.

Art. 68. On the appointed day the parish electors shall assemble, together with the president, in the consistorial hall, with open doors, and they shall proceed to the appointment of one secretary, and two inspectors, taken from among the electors.

Art. 69. The electors shall afterwards exhibit their certificates of election, that they may be examined by the secretary and inspectors, who on the next following day shall give an account of their regularity. The certificates of the secretary and inspectors shall be examined by a committee of three members of the meeting, who shall be appointed for that purpose, and who shall report on the same on the next following day.

Art. 70. On the same day, the parish electors being assembled, the reports on the certificates of election shall be read; and if any objection shall be made either to the certificates or to the electors, on account of their not having the requisite qualifications, the meeting shall, in the same sitting, decide on that subject, and there shall be no appeal from their decision.

Art. 71. This being done, the parish electors, headed by their president, shall repair to the principal church, where a solemn mass to the Holy Ghost shall be celebrated by the priest, who shall stand highest in hierarchical order, and who shall also deliver a discourse on the occasion.

Art. 72. After divine service the electors shall return to the consistorial hall, and take their seats without any preference. The secretary shall read this chapter of the constitution, and the president shall put the question contained in the 49th article, and every particular of its contents shall be observed.

Art. 73. Immediately afterwards the election for one or more district electors shall take place; they shall be balloted for in successive order, in a secret manner, by ballots, on which the name of the person whom each voter chooses to nominate, shall be inscribed.

Art. 74. The poll being closed, the president, secretary, and inspectors shall count the votes, and that person shall be elected who shall have at least one half of them in his favor and one over. The president shall publish the result of each election. If no person shall have the absolute majority of the suffrages, the two candidates who shall have obtained the greatest number of votes shall be balloted for a second time, and he who shall have the majority in his favor shall be nominated. If two persons shall have the same number of votes, they shall draw lots.

Art. 75. No man can be chosen a district elector unless he is a citizen in the full exercise of his civil rights, above twenty-five years of age, and an inhabitant residing in the district, whether he be a layman or one of the secular clergy. The election may fall upon citizens either in or out of the meeting.

Art. 76. The secretary shall make up a record of the proceedings, which shall be signed by him, the president, and inspectors, and a copy of the same, authenticated by the above named officers, shall be delivered to the member or members elect, as evidence of his or their election. The president of the meeting shall send another copy of the said proceeding, signed by him and the secretary, to the president of the provincial meeting, who shall cause the election to be published in the newspapers.

Art. 77. All the provisions of the 55th, 56th, 57th, and 58th articles concerning parish meetings shall be observed in those of districts.

CHAPTER V.

Of provincial electoral meetings.

Art. 78. The provincial electoral meetings shall be composed of all the district electors of the province, who shall convene in the principal city, in order to nominate their respective number of deputies to the cortes, to act as representatives to the nation.

Art. 79. In the peninsula and adjacent islands those meetings shall always be held on the first Sunday of December, in the year next preceding that of the meeting of the cortes.

Art. 80. In the ultramarine provinces they shall be held on the second Sunday in March of the same year in which the district meetings shall be assembled.

Art. 81. The provincial electoral meetings shall be presided over by the principal civil officer of the capital of the province, before whom the district electors shall appear, provided with the certificate of their election, in order that their names may be inscribed on the records of the meeting.

Art. 82. On the appointed day the district electors shall assemble, together with the president, in the consistorial hall, or any other building suitable to the solemnity of the proceedings, with open doors, and they shall proceed to nominate, by a majority of one secretary, and two inspectors, from among the electors.

Art. 83. If a province has only one deputy to elect, he shall be balloted for by at least five electors, distributing that number among its districts, or forming new ones for that special purpose.

Art. 84. The four chapters of this constitution which relate to the subject of elections, and afterwards the proceedings of the district electors, transmitted by their respective presidents, shall be read. The electors shall produce the certificates of their nomination, that they may be examined by the secretary and inspectors, who on the next following day shall report thereon. The certificates of the secretary and inspectors shall be examined by a committee of three members of the meeting, who shall be appointed for that purpose, and who shall make their report on the next following day.

Art. 85. On the same day, the district electors being assembled, the reports on the certificates of election shall be read; and if any objection be made, either to the certificates or to the electors, on account of their not having the requisite qualifications, the meeting shall in the same sitting decide on that subject, and there shall be no appeal from their decision.

Art. 86. This being done, the district electors, headed by their president, shall repair to the cathedral or principal church, when a solemn mass to the Holy Ghost shall be celebrated by the bishop, or, in his absence, by the priest who shall stand highest in hierarchical order, who shall also deliver a discourse on the occasion.

Art. 87. After divine service they shall return to the place of meeting, and, with open doors, the electors shall take their seats without any preference. The president shall put the question contained in the 49th article, and every particular of its contents shall be observed.

Art. 88. Afterwards the electors present shall proceed to the election of one or more deputies, who shall be balloted for in successive order, and for that purpose each elector shall draw near the table placed before the president, inspectors, and secretary, and there shall, in the presence of the

said officers, write down the name of the person for whom he votes. The secretary and inspectors shall be the first to give in their votes.

Art. 89. The poll being closed, the president, secretary, and inspectors shall count the votes, and that person shall be elected who shall have at least one half of them in his favor, and one over. If no person shall have the absolute majority of suffrages, the two candidates who shall have obtained the greatest number of votes shall be balloted for a second time, and he who shall have the majority in his favor, shall be duly elected. If two persons shall have the same number of votes, they shall draw lots, and the president shall publish the result of each election.

Art. 90. After the deputies shall have been elected, the meeting shall proceed in the same manner to the nomination of substitutes, whose number shall be in each province in the proportion of one to three deputies. If a province elects no more than one or two deputies, it shall nevertheless nominate one substitute. These substitutes shall repair to the cortes in case of the death of the deputy of a province, or of his being deemed incapable by the said cortes, at whatever period these two events may happen after the election.

Art. 91. No man can be elected a deputy to the cortes unless he is a citizen in the full exercise of his civil rights, above five and twenty years of age, an inhabitant of the province, and has resided therein at least seven years, whether he be a layman or of secular clergy; and the election may fall on citizens either in or out of the meeting.

Art. 92. No one can be a deputy to the cortes who has not a suitable income of his own.

Art. 93. The provision of the next preceding article shall remain suspended until the next meeting of the cortes shall have decided when it is to have its full effect, and shall have determined the quota of the income, from what kind of property it must proceed; and whatever they shall determine on that subject shall be a constitutional law, the same as if it was here inserted.

Art. 94. If it shall happen that the same person is elected by the province in which he was born, and likewise by that which he inhabits, his election by the latter shall prevail, and the substitute elected by the province which gave him birth shall repair to the cortes and supply his place.

Art. 95. Ministers, counsellors of state, and those who hold offices in the king's household, cannot be elected deputies to the cortes.

Art. 96. No foreigner, though naturalized, can be a deputy to the cortes.

Art. 97. No public functionary appointed by the government can be elected deputy to the cortes by the province in which he exercises his office.

Art. 98. The secretary shall make up a record of the elections, which shall be signed by him, the president and all the electors.

Art. 99. Afterwards all the electors without exception, shall give to all the deputies, and to every one in particular, full powers in the following form, and shall deliver to each deputy that which concerns him, that he may exhibit it to the cortes.

Art. 100. The powers shall be expressed in these words:

"In the town or city of _____ in the year _____ in the hall of _____ before me the underwritten notary and the witnesses called for that purpose, appeared (here insert the names of the president and of _____)

(Continued in the Supplement.)

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 11—VOLUME VI—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

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the district electors composing the provincial electoral meeting,) who being convened in constitutional form, did declare and say, that the elections for parish and district electors having been duly made, agreeably to the constitution of the Spanish monarchy, and with all the forms and solemnities prescribed by the same, as it appears by the original certificates inscribed in the records, the said electors of the districts of the province of assembled on the day of the month of of the present year, have nominated the deputies who are to represent this province in the cortes, and that the honorable N. N. N. are the persons whom they have elected for that purpose, as appears by the minutes of the said election, signed by N. N. In consequence whereof they do grant, by these presents, to all and each of them, full powers to exercise and fulfil the august functions of their office, and, together with the other deputies to the cortes, agree to and propose, as representatives of the nation, all that they may deem conducive to its general welfare, by virtue of the powers vested in them by the constitution, confining themselves within the limits which it prescribes, without altering, derogating, or varying, under any pretence whatever, from any of its articles; that they, the said constituents, by virtue of the powers granted to them, as electors appointed for the nomination of deputies, do bind themselves, as well in their own names as in the name of all the inhabitants of this province, to acknowledge as lawful, and to support and obey all that the said deputies to the cortes shall enact and resolve, agreeably to the constitution of the Spanish monarchy. Done in the presence of N. N. witnesses, who, together with the said constituents, have signed these presents, which I certify."

Art. 101. The president, electors, and secretary shall immediately send to the permanent committee of the cortes a copy, signed by them, of the minutes of the proceedings concerning the elections, and they shall cause the result of the said elections to be printed, and shall forward a copy thereof to each town and borough of the province.

Art. 102. The salaries of the deputies shall be paid by their respective provinces at the rate which shall be determined by the cortes, on the second year of each general deputation, for the ensuing one; and the ultramarine provinces shall allow their deputies what sum they may think necessary to cover the expenses of their outward and homeward voyages.

Art. 103. With the exception mentioned in the 528th article, the provincial electoral meetings shall conform themselves to the provisions of the 55th, 56th, 57th, and 58th.

CHAPTER VI.

Of the assembling of the cortes.

Art. 104. The cortes shall meet every year in the capital of the kingdom, in an edifice appropriated to that special purpose.

Art. 105. They may, if they think it convenient, remove to another place, provided that place be not more than twelve leagues distant from the capital, and that two thirds of the deputies present shall concur in the resolution.

Art. 106. The session of the cortes shall every
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year last three successive months, and shall begin on the first day of March.

Art. 107. The cortes may only in the two following cases prorogue their sessions for at most one month longer: first, if the king shall desire it; secondly, if the cortes shall deem it necessary, and two thirds of the members concur in the resolution.

Art. 108. All the deputies shall be renewed every two years.

Art. 109. If the war, or the occupancy by the enemy of any part of the territory of the monarchy, shall prevent the timely appearance of all or any of the deputies of one or more provinces, their places shall be supplied by the former deputies of their respective provinces, who shall draw lots between themselves until the number wanted be completed.

Art. 110. Deputies cannot be elected to serve a second time, until another election has intervened.

Art. 111. On their arrival at the capital, the deputies shall appear before the standing committee, who shall cause their names, and that of the province by which they were elected, to be inscribed on the records of the said cortes.

Art. 112. On the year that the deputies shall be renewed, the first preparatory meeting shall be held with open doors on the 15th day of February; it shall be presided over by the president of the standing committee, and the inspectors and secretaries shall be elected by the said committee from among its remaining members.

Art. 113. At this sitting all the deputies shall exhibit their powers, and two committees shall be appointed by a majority of votes; one, composed of five members, shall examine the powers of all the deputies; the other, composed of three, shall examine those of the committee of five.

Art. 114. On the 20th of the same month, the second preparatory meeting shall be held, also with open doors, and the two above-mentioned committees shall make their report on the legality of the powers, regard being had to the copies of the proceedings of the provincial elections.

Art. 115. In this sitting and those which shall be deemed necessary until the twenty-fifth day, all doubts concerning the legality of the powers and qualifications of the deputies shall be definitively settled by a majority of votes.

Art. 116. In the year next following that in which the deputies shall have been renewed, the first preparatory sitting shall be held on the 20th of February; and, until the 25th, as many others as shall be deemed necessary for the verification of the powers of the new deputies, in the form already prescribed in the three next preceding articles.

Art. 117. The last preparatory sitting shall be held every year, on the 25th day of February, on which day the following oaths shall be administered to all the deputies, who for that purpose shall put their hands upon the holy gospels. *Int.* Do you swear to protect and maintain the Roman catholic and apostolic religion, and not to admit any other into the kingdom? *Ans.* I do. *Int.* Do you swear faithfully to support the constitution of the Spanish monarchy, sanctioned by the general and ex-

traordinary cortes of the nation in the year 1812, and to prevent any attempt to violate the same? *Ans.* I do. *Int.* Do you swear faithfully to discharge the duties of the office with which the nation has intrusted you, and to have always in view the good and prosperity of this same nation? *Ans.* I do swear it.—If you observe your oath, may God reward you!—If not, may he call you to an account for it!

Art. 118. They shall then proceed to a private election, by an absolute majority of votes, of one president, one vice-president, and four secretaries, taken from the said deputies; which being done, the cortes shall be considered as duly organized and constituted, and all the functions of the permanent sitting shall cease.

Art. 119. On the same day a committee, composed of twenty-two members and two of the secretaries, shall be appointed to wait upon the king, in order to inform him of the cortes being duly constituted, and of the president whom they have elected, and that he may make known whether he shall attend the opening of the cortes, which shall take place on the first day of March.

Art. 120. If the king shall be out of the capital, the said information shall be transmitted to him in writing, and he shall return his answer in the same manner.

Art. 121. The king shall personally attend the opening of the cortes; but, if prevented therefrom by some cause or other, the opening shall be made by the president on the appointed day, and shall on no pretence whatsoever be postponed. The same formalities shall take place on the closing of the cortes.

Art. 122. The king shall enter the hall of the cortes without guards; he shall only be attended by those persons who shall be designated by the regulations of the cortes concerning the ceremonies to be observed at his entrance and departure.

Art. 123. The king shall deliver a speech, in which he shall propose to the cortes what he may think proper, to which the president shall answer in general terms. If the king shall not personally attend, he shall send his speech to the president, that he may read it to the cortes.

Art. 124. The cortes cannot deliberate in the king's presence.

Art. 125. When the ministers of state shall have any communications to make in the name of the king to the cortes, they shall attend the debates at such times and in such manner, as shall be determined by the cortes; they shall have the privilege of expressing their sentiments, but shall not be present when the votes are taken.

Art. 126. The sittings of the cortes shall be public, and the galleries shall be cleared only in those cases in which secrecy is required.

Art. 127. In the debates of the cortes, and all that belongs to their internal order and government, the regulations which shall be made by these general and extraordinary cortes shall be observed, without prejudice to the alterations which successive cortes may think proper to make.

Art. 128. The persons of the deputies shall be inviolable, and they shall not be responsible in any case for their opinions before any tribunal. In criminal cases they shall be amenable to the tribunal of the cortes only, in the form and manner which shall be prescribed by the regulations for their internal government. During the sessions of the cortes, and for one month afterwards, no deputy can be prosecuted or arrested for debt.

Art. 129. No deputy shall, during the term of his office, which shall be reckoned from the time of his

election being made known to the person in committee of the cortes, accept for himself, nor solicit for another, any office at the king's disposal, nor even promotion, unless it be in the regular course, according to the profession which he exercises.

Art. 130. Neither shall he, while he is a member of the cortes, and for one year after he shall have ceased to act as such, receive for himself, or solicit for another, any pension or dignities whatever at the king's disposal.

CHAPTER VII.

Of the powers of the cortes

Art. 131. The cortes shall have power—

1. To propose and decree the laws, and to explain and repeal them if necessary;

2. To administer the oath to the king, the prince of Asturias, and the regency, as prescribed under their respective articles;

3. To decide upon every question of fact or law concerning the succession to the crown;

4. To appoint a regency or a regent of the kingdom when required by the constitution, and determine the restrictions under which the regency or the regent are to exercise the royal authority;

5. To cause the prince of Asturias to be publicly acknowledged;

6. To appoint a guardian to the minor king, when required by the constitution;

7. To approve, before they are ratified, all treaties of offensive alliance and of subsidy, and special treaties of commerce;

8. To allow or forbid the admission of foreign troops into the kingdom;

9. To decree the creation or suppression of offices in the tribunals established by the constitution, and likewise of public offices;

10. To determine every year, on the king's proposal, the number of the sea and land forces, and how many are to be kept on foot in time of peace, and to what extent they shall be increased in time of war;

11. To make rules for the government and regulation of the land and naval forces;

12. To determine the expenses of the public administration;

13. To lay annually the imposts and taxes;

14. To borrow money, when necessary, on the national credit;

15. To approve the assessment of the taxes among the several provinces;

16. To examine and approve the accounts of the expenditure of the public money;

17. To establish custom-houses and fix the rates of duties;

18. To decide what is necessary for the administration, preservation, and alienation of the public property;

19. To fix the value, weight, purity, stamp, and the denomination of the several coins;

20. To adopt a standard of weights and measures the most just and convenient;

21. To promote and favor all branches of industry, and remove all obstacles by which they might be impeded;

22. To establish a general plan of teaching for the public schools throughout the monarchy, and approve of the plan which shall be prepared for the education of the prince of Asturias;

23. To approve of the general regulations concerning the public health, and the general police throughout the kingdom;

24. To protect the political freedom of the press;

25. To enforce the responsibility of the ministers of state and other public functionaries;

26. And, lastly, to give or refuse their consent in all those cases in which it is required by the constitution.

CHAPTER VIII.

Of the laws, and of the royal sanction.

Art. 132. Every deputy has a right to propose laws, but it must be done by bill in writing, accompanied with the reasons on which it is founded.

Art. 133. The bill shall be read a second time, two days at least after it shall have been brought in, and the cortes shall deliberate whether it shall be debated or not.

Art. 134. When admitted to debate, the cortes may previously refer it to a committee, if in their opinion the importance of the subject requires it.

Art. 135. The bill shall be read a third time, four days at least after it shall have been admitted, and the cortes shall appoint the day on which it shall be debated.

Art. 136. On the appointed day the bill and each of its sections shall be debated.

Art. 137. The cortes shall decide when the bill is sufficiently debated, and, having decided that it is, they shall determine whether the question shall be taken.

Art. 138. If it be decided that the question shall be taken, it shall immediately be put to vote, and the bill shall be admitted in whole or in part, and with such amendments as shall have been proposed during the debate.

Art. 139. The question shall be decided by an absolute majority of votes, and it shall be necessary to form a *quorum* that one half of all the deputies composing the cortes and one more be present.

Art. 140. If the cortes shall reject a bill at whatever period of the debate, or shall resolve that the question shall not be taken, it shall not be brought in again the same year.

Art. 141. If it shall have passed, it shall be drawn up in writing by duplicates in the form of a law, and shall be read to the cortes; afterwards the two originals, signed by the president and two secretaries, shall immediately be presented to the king, by a committee appointed for that purpose.

Art. 142. The king sanctions the laws.

Art. 143. He shall sanction them in the following form, signed with his own hand: "Let it be executed into a law."

Art. 144. The king shall refuse his sanction in the following form, also signed with his own hand: "Let it be returned to the cortes," and he shall explain his reasons for not sanctioning the same.

Art. 145. The king shall be allowed thirty days for the use of that prerogative; but if, during that period, he has not given, or refused his sanction, it shall be understood by that alone that he has given it, and he shall actually give it.

Art. 146. After the king shall have given or refused his sanction, one of the two original copies of the bill shall be returned to the cortes for their government, and it shall be deposited in their archives; the other copy shall remain in the possession of the king.

Art. 147. If the king shall refuse his sanction, the same bill shall not be brought in again before the cortes of that year, but may be brought before the cortes of another year.

Art. 148. If the same bill shall be again brought in, and be passed by the cortes of the following year, it shall be a second time presented to the king, who shall give or refuse his sanction in the form mentioned in the 143d and 144th articles; and

in the last case it shall not be brought before the cortes of that year.

Art. 149. If the same bill shall be brought in for the third time, and shall have passed in the cortes of the following year, it shall be considered, by that alone, as having received the king's sanction; and, on the bill being presented to him, he shall in fact sanction it in the form prescribed in the 143d article.

Art. 150. If the day on which the cortes are to close their session shall arrive before the expiration of the thirty days allowed to the king for giving or refusing his sanction, he shall give or refuse it, during the first eight days of the session of the next cortes; and if he shall not have done it within that time, the bill shall nevertheless be considered as sanctioned, and the king shall actually sanction it in the form prescribed; but if he shall refuse to give his sanction, the said bill may be debated by the same cortes.

Art. 151. Although one or more years may have elapsed since the king shall have refused to sanction a bill without its having been brought in again, yet, if such a bill shall be brought in, in the same legislature which originally passed it, or in one of the two immediately following legislatures, it shall be considered as the same bill in relation to the king's sanction mentioned in the three preceding articles; but if, during the three abovementioned legislatures, the bill shall not have been brought in again, although it may afterwards be brought in, in the same words, it shall be considered as a new bill with respect to the king's sanction.

Art. 152. If at the second or third time that the bill shall be brought in, within the term prescribed in the next preceding article, it shall be rejected by the cortes, at whatever period it may afterwards be proposed, it shall be considered as a new bill.

Art. 153. The laws are repealed in the same manner, and with the same formalities, that they are made.

CHAPTER IX.

Of promulgating the laws.

Art. 154. After a law shall have been published in the cortes, the king shall be apprized thereof, and he shall immediately proceed to the promulgation of the same.

Art. 155. The king shall promulgate the laws in the following form: N (the king's name), by the grace of God and the constitution of the Spanish monarchy, king of Spain, to all to whom these presents shall come, know ye: that the cortes have decreed, and we do sanction the following law (here shall be inserted the literal text of the law): Wherefore, we order all the tribunals, magistrates, chiefs, governors, and other civil, military, and ecclesiastical authorities, of every rank and description, to conform themselves to the said law, and to see it maintained and executed in all its parts. You shall take the proper measures to have the said law carried into effect, printed, and published. (It shall be directed to the ministers of the several departments.)

Art. 156. All the laws shall be transmitted, in the name of the king, by the ministers of the several departments, to all and every supreme tribunal, those of the provinces, and other superior authorities, who shall transmit them to the subordinate.

CHAPTER X.

Of the permanent committee of the cortes.

Art. 157. The cortes before they close their session, shall appoint a committee, which shall be designated the permanent committee of the cortes; it shall be composed of seven persons taken from

among the deputies, to wit: three deputies from the European provinces; three from those of the ultramarine dominions; and the seventh shall be chosen by lot from among the European and ultramarine deputies.

Art. 158. The cortes shall at the same time appoint two substitutes for the said committee, one from Europe, and the other from the ultramarine provinces.

Art. 159. The functions of the permanent committee shall continue from the end of the session of one ordinary cortes to the commencement of another.

Art. 160. The permanent committee shall have power—

1. To see that the constitution and laws have been duly observed, in order to render an account to the next cortes of all the infractions which have come to their knowledge;

2. To convoke extraordinary cortes in the cases prescribed by the constitution;

3. To discharge the functions mentioned in the 111th and 112th articles;

4. To give notice to the substitutes to fill the places vacated by deputies, and, in case of death or absolute inability of the deputies and substitutes of a province, to give the proper orders that the said province may proceed to a new election.

CHAPTER XI.

Of the extraordinary cortes.

Art. 161. The extraordinary cortes shall be composed of the same deputies who constitute the ordinary cortes, during the two years for which they are elected.

Art. 162. The permanent committee shall convoke them on an appointed day in the three following cases:

1. If the crown shall be vacant;

2. If the king be unqualified, in any manner whatever, to hold the reins of the government, or shall manifest his desire to abdicate the crown in favor of his successor, the committee being in the first case authorised to take all the necessary measures to ascertain the king's inability;

3. If, in critical circumstances, or upon some peculiarly arduous business, the king shall think proper to convene them, in which cases he shall give information thereof to the permanent committee of the cortes.

Art. 163. The extraordinary cortes shall take cognizance of no other object but that for which they have been convened.

Art. 164. The sessions of the extraordinary cortes shall commence and close with the same formalities that are prescribed for the ordinary cortes.

Art. 165. The extraordinary cortes being assembled, shall not prevent the election of new deputies at the prescribed period.

Art. 166. If it shall happen that the extraordinary cortes have not closed their session on the day appointed for the meeting of the ordinary cortes, the former shall cease their functions, and the latter shall resume the debate of the subject for which the former had been convoked.

Art. 167. The permanent committee of the cortes shall continue the functions ascribed to them by the 111th and 112th articles in the case mentioned in the next preceding article.

TITLE IV.

Of the king.

CHAPTER I.

Of the inviolability of the king, and of his authority.

Art. 168. The person of the king is sacred and inviolable, and he can do no wrong.

Art. 169. The king shall be styled, his catholic majesty

Art. 170 The executive power shall be vested exclusively in the king, and his authority shall extend to all that may be conducive to the preservation of the public order and safety of the state, conformably to the constitution and laws.

Art. 171 Besides the prerogative of sanctioning and promulgating the laws, the king shall also have power—

1. To make such decrees, regulations, and restrictions as he may think necessary for the full execution of the laws;

2. To see that justice be promptly and fully administered throughout the kingdom;

3. To declare war, and make and ratify treaties of peace, laying the same afterwards with the documents before the cortes;

4. To appoint the magistrates of all the civil and criminal tribunals, on the nomination of the council of state;

5. To nominate to all the civil and military offices;

6. To present, with the advice of the council of state, to all bishoprics, benefices, and ecclesiastical dignities of royal patronage;

7. To grant honors and distinctions of every kind, according to law;

8. To take the command of all the sea and land forces, and appoint the generals;

9. To dispose of the armed force, and distribute the same in the most convenient manner;

10. To direct the diplomatic and commercial relations with foreign powers, and appoint ambassadors, ministers, and consuls;

11. To coin money, on which his bust and name shall be stamped;

12. To regulate the administration of the public monies in all its branches;

13. To pardon criminals according to law;

14. To propose to the cortes the making or repealing of such laws as may be advantageous to the general welfare of the nation, in order that they may debate the subject according to the form prescribed;

15. To permit or forbid, with the consent of the cortes, the publication of decrees of ecclesiastical councils and pontifical bulls containing provisions of general import: if they relate to particular affairs or matters involving the concerns of government, the advice of the council of state shall be taken; and if they relate to or involve subjects of litigation, the supreme tribunal of justice shall take cognizance thereof, and decree upon the same according to law;

16. To appoint and remove from office, the ministers of state and others.

Art. 172. The restrictions on the royal authority are as follows:—

1. The king shall not, under any pretence whatever, prevent the meeting of the cortes, in the cases and at the periods prescribed by the constitution, nor suspend or dissolve them, nor in any manner whatever embarrass their sessions and deliberations. Those who shall be instrumental in the above cases, either by their advice or assistance, shall be declared traitors, and persecuted as such;

2. He shall not go out of the kingdom without the consent of the cortes, or else he shall be understood to have abdicated the crown;

3. He shall not alienate, grant, renounce, or transfer, in any manner whatever, the royal authority, or any of its prerogatives, to another.

If from some cause or other he shall wish to abdicate the crown in favor of his next successor, he shall be obliged to have the consent of the cortes;

4. He shall not alienate, grant, or exchange any province, city, borough, or any other portion of the Spanish territory, however small its extent may be;

5. He shall not enter into an offensive alliance, nor make a special treaty of commerce with any foreign power, without the consent of the cortes;

6. He shall not engage by treaty to furnish supplies to a foreign power without the consent of the cortes;

7. He shall not transfer or alienate the national property without the consent of the cortes;

8. He shall not of his sole authority levy any imposition, either directly or indirectly, nor demand any supplies under whatever denomination, or for any object whatever; but all grants of public money shall be directed by the cortes;

9. He shall not grant any exclusive privilege to any person or corporation whatever;

10. He shall not take the property of any person or corporation, nor hinder or impede the free possession, use, and benefit thereof; and if at any time it shall be necessary, for an object of utility, to take an individual's property, that man shall be indemnified, and an equivalent, to be estimated by honest and indifferent persons, shall be given to him;

11. He shall not deprive any individual of his liberty, nor of his own authority inflict upon him any punishment. The minister of state who shall have signed such order, and the judge who shall have executed it, shall be responsible therefor to the nation, and prosecuted as violators of personal liberty. He may only in cases when the welfare and safety of the state shall require it, give orders for the arrest of any person, but on condition that such person shall within forty-eight hours be delivered over to the competent tribunal or magistrate;

12. Before he shall contract marriage, he shall give notice thereof to the cortes, in order to obtain their consent, and if he shall omit that formality, he shall be considered as having abdicated the crown.

Art. 173. The cortes shall administer to the king, on his accession to the throne, or, if he be under age, when he shall assume the reins of the government, an oath in the words following:

I, N. (the king's name) by the grace of God and the constitution of the Spanish monarchy, king of Spain, do swear by God and the holy gospels, that I will protect and maintain the Roman catholic and apostolic religion, and will not permit any other in the kingdom; that I will support the constitution and laws of the Spanish monarchy, and cause the same to be observed, and that all my actions shall be directed to its good and welfare; that I will not alienate, transfer, or dismember any portion of the kingdom; that I never will exact any produce, money, or any thing else which shall not have been decreed by the cortes; that I will not deprive any one of his property; and, above all, that I will respect the national and individual liberty; and if I shall act in opposition to the whole or part of this my oath, my orders shall not be obeyed, and all such acts shall be null and void. May God help and defend me if I am true to my oath, and call me to an account if I violate it!

CHAPTER II.

Of the succession to the crown.

Art. 174. The kingdom of Spain is indivisible; and from the promulgation of the constitution the succession to the throne shall be always taken

from among the lawful descendants, male or female, in regular order of primogeniture and representation of the lives hereafter mentioned.

Art. 175. No one shall be king of Spain who was not born in lawful wedlock.

Art. 176. The males shall have the preference over the females, and the elder always over the younger, when in the same degree; but females of a nearer line or degree shall have the preference over the males of one more distant.

Art. 177. The son or daughter of the king's eldest son, in case of his father dying without having succeeded to the crown, shall have the preference over his or her uncles, and shall immediately succeed to his or her grandfather by right of representation.

Art. 178. As long as the direct line of succession shall exist, the crown shall not be vested in a collateral branch.

Art. 179. The king of Spain is our lord don Ferdinand VII. of Bourbon, who at present reigns.

Art. 180. After don Ferdinand VII. of Bourbon, his lawful descendants, either males or females, shall succeed to the crown, and after them his brothers or sisters, and the brothers or sisters of his father and their lawful descendants, in the order already mentioned, regard being had, as to each of them, to the right of representation, and to the preference due to the nearest line over those which are more distant.

Art. 181. The cortes shall exclude from the succession that or those persons who shall be unqualified to govern, or who shall have by their deeds deserved to forfeit the crown.

Art. 182. If it shall happen that all the lines herein mentioned, shall become extinct, the cortes shall call another family to the throne whom they shall think most for the advantage of the nation, and the order and rules of succession already prescribed shall be followed.

Art. 183. If the crown shall fall, or has already fallen, upon a female, she shall not contract marriage without having first obtained the consent of the cortes; and in the contrary case she shall be considered to have abdicated the crown.

Art. 184. When a woman shall wear the crown, her husband shall have no authority whatever over the kingdom, nor any share in its government.

CHAPTER III.

Of the king's minority and of the regency.

Art. 185. The king is a minor until he attains the full age of eighteen years.

Art. 186. The kingdom shall be governed by a regency during the minority of the king.

Art. 187. It shall likewise be governed by a regency if the king, from some physical or moral cause, shall be incapacitated from exercising his authority.

Art. 188. If the cause which prevents the king from holding the reins of government shall last longer than two years, the cortes, instead of appointing a regency, shall have the power of appointing his next successor, if he be of full age, regent of the kingdom.

Art. 189. In case the crown shall be vacant during the minority of the prince of Asturias, the extraordinary cortes shall assemble if the ordinary cortes are not in session. The provisional regency shall be composed of the queen mother, if she be living, of the two deputies of the permanent committee of the cortes the most ancient in the order of their election, and two of the oldest counsellors of state, that is to say, the president of the council, and the next to him in seniority. If the queen mother

be not living, then the third elder counsellor of state shall be one of the regency.

Art. 190. The provisional regency shall be presided over by the queen, if she be living, and, in default of her, by the eldest member of the permanent committee of the cortes in order of election.

Art. 191. The provisional regency shall expedite no business but that which can admit of no delay, and they shall appoint and remove public functionaries only *pro tempore*.

Art. 192. The extraordinary cortes being assembled, they shall appoint a regency composed of three of five persons.

Art. 193. No one can be a member of the regency who is not a citizen in full exercise of his rights; foreigners are also excluded, although naturalized.

Art. 194. The regency shall be presided over by one of its members, on the nomination of the cortes, who shall also decide, if necessary, whether the presidency shall be exercised by all the members by turns, or otherwise, and in what manner.

Art. 195. The regency shall exercise the royal authority in the manner which shall be prescribed by the cortes.

Art. 196. An oath shall be administered to the provisional and permanent regency, in the form prescribed by the 173d article, with the additional clause that they shall be faithful to the king. The permanent regency shall moreover swear that they will confine themselves within the limits prescribed by the cortes in the exercise of the royal authority; and that when the king shall be of age, or his inability shall cease, they will place the reins of government into his hands, on pain of being punished as traitors, if they shall delay but a moment so to do.

Art. 197. All the acts of the regency shall be issued in the name of the king.

Art. 198. That person shall be the guardian of the minor king whom the late king shall have appointed for that purpose by his last will and testament; and, for want of such appointment, the queen mother shall be the guardian of the minor king, whilst she shall remain a widow; and, in default of her, such guardian shall be appointed by the cortes. In the first and last cases the guardian must have been born in the kingdom.

Art. 199. The regency shall see that the education given to the minor king be suited to his high dignity, and conformably to the plan which shall be adopted by the cortes.

Art. 200. The cortes shall fix the compensation which shall be paid to the members of the regency.

CHAPTER IV.

Of the royal family, and of the recognition of the prince of Asturias.

Art. 201. The king's eldest son shall be styled prince of Asturias.

Art. 202. The other children of the king shall be styled infants of Spain.

Art. 203. The children of the prince of Asturias shall likewise be styled infants of Spain.

Art. 204. No other persons but those above mentioned shall have the title of Infants of Spain.

Art. 205. The infants of Spain shall enjoy the same honors and distinctions which they have hitherto enjoyed; they shall be capable of being appointed to all offices, except those of judicature and of deputies to the cortes.

Art. 206. The prince of Asturias shall not leave the kingdom without the consent of the cortes, otherwise he shall *ipso facto* forfeit his right to the crown.

Art. 207. He shall likewise forfeit his right to the crown by remaining abroad longer than he had been allowed, and on being required to re-enter the kingdom, refusing to comply with the summons within the time prescribed by the cortes.

Art. 208. The prince of Asturias, the infants and infantas, and their children and their descendants, if subjects of the king, shall not marry without having first obtained his consent, and that of the cortes, on pain of forfeiting their right to the crown.

Art. 209. An authenticated copy of the certificates of birth, marriage and death of all the members of the royal family shall be delivered to the cortes—and if they are not assembled, to the permanent committee to be deposited among their archives.

Art. 210. The prince of Asturias shall be acknowledged as such by the cortes, with the formalities which shall be prescribed by the regulations for their internal government.

Art. 211. That acknowledgment shall be made by the first cortes assembled after his birth.

Art. 212. The prince of Asturias, after he shall have completed his fourteenth year, shall, before the cortes, take the following oath: 'I, N. (his name) prince of Asturias, do swear by God and the holy gospels, that I will defend and maintain the Roman catholic and apostolic religion, and will not permit any other in the kingdom; that I will support the constitution of the Spanish monarchy, and that I will be faithful and obedient to the king. So help me God.'

CHAPTER V.

Of the provision for the royal family.

Art. 213. The cortes shall fix the annual provision for the king's household, which shall be commensurate to the high dignity of his person.

Art. 214. All those royal palaces belong to the king, which were possessed by his predecessors; and the cortes shall assign such lands as they shall think most convenient for the king's sports.

Art. 215. The cortes shall determine what sum shall be annually allowed to the prince of Asturias from the day of his birth, and to the infants and infantas from that on which they shall be full seven years of age, for their establishment, which sum shall be commensurate with their respective dignities.

Art. 216. The cortes shall determine what sum shall be allowed to the infantas for their dowries, when they shall marry; and, that sum being paid, the yearly provision for their establishment shall cease.

Art. 217. If the infants shall marry and reside in the kingdom, they shall continue to receive the yearly sum allowed for their establishment; but if they shall marry and reside out of the kingdom, the said yearly allowance shall cease, and a gross sum shall be paid to them, to be determined by the cortes.

Art. 218. The yearly sum to be allowed to the queen dowager, for her establishment, shall be determined by the cortes.

Art. 219. The compensation for the services of the members of the regency shall be paid out of the sums allowed for the establishment of the king's household.

Art. 220. At the beginning of each reign the cortes shall fix the sums which shall be allowed for the king's household, and for the establishments of his family, as mentioned in the above articles; and during that reign no alterations shall be made therein.

Art. 221. All those sums shall be paid out of the national treasury, to the administrator appointed

for that purpose by the king, and all the accounts shall be settled by the said administrator.

CHAPTER VI.

Of the ministers of state.

Art. 222. There shall be seven ministers of state, to wit:

One for foreign relations.

One for the department of the peninsula and adjacent islands.

One for the department of the ultramarine dominions.

One for the department of justice and favors.

One for the department of finances.

One for the department of war.

One for the department of the navy.

The cortes shall make such alterations in this arrangement as experience shall point out, or circumstances may require.

Art. 223. No one can be a minister of state who is not a citizen, in the full exercise of his rights; foreigners are also excluded, although naturalized.

Art. 224. A special regulation, approved by the cortes, shall determine the kind of business which shall belong to each department.

Art. 225. All the king's ordinances shall be signed by the minister of state of the corresponding department.

Art. 226. The ministers of state shall be responsible to the cortes for signing ordinances contrary to the constitution and laws, and their having been ordered by the king so to do shall not be admitted as an excuse.

Art. 227. The ministers of state shall every year produce an estimate of the funds necessary for the administration of their respective departments, and shall give in their accounts in the manner which shall hereafter be determined.

Art. 228. In order to force the responsibility of the ministers of state, the cortes shall first decree that there is cause of accusation.

Art. 229. Such decree having been issued, the minister of state shall be suspended from his functions, and the cortes shall deliver to the supreme tribunal of justice all the documents relative to the cause; the said tribunal shall take cognizance thereof, and determine on the merits, according to law.

Art. 230. The cortes shall fix the compensation which shall be paid to the ministers of state for their actual services.

CHAPTER VII.

Of the council of state.

Art. 231. The council of state shall be composed of forty persons, who shall be citizens, in the full exercise of their rights. Foreigners are excluded, although naturalized.

Art. 232. The counsellors shall be precisely of the following description, to wit: four and no more of the ecclesiastical order, distinguished for their talents and merit, two of whom shall be bishops; four and no more shall be grandees of Spain, of reputed virtue, and possessing the necessary knowledge; and the other members shall be chosen from among the subjects, the most distinguished for their learning and merit, or the services they have rendered to the state in any principal branch of the administration or government. The cortes cannot propose any person to be a counsellor of state who, at the time, shall be a member of their body. Twelve members, at least, of the council of state shall be natives of the ultramarine provinces.

Art. 233. All the counsellors of state shall be nominated by the king, on the presentation of the cortes, in manner hereinafter mentioned.

Art. 234. The cortes shall make out a list of each

of the three classes of counsellors of state, in the proportions abovementioned, each list containing three times the number required, out of which the king shall choose the forty individuals who are to compose the council of state, taking the ecclesiastics, grandees, and the commons from their respective classes.

Art. 235. When there shall be a vacancy in the council of state, the cortes who shall first assemble shall lay before the king a list of three persons of the corresponding class, out of whom he shall choose one.

Art. 236. The council of state is the only council of the king, who shall take their advice on arduous and important questions, and principally on the subject of giving or refusing his sanction to the laws, declaring war, and making treaties.

Art. 237. That council shall have the privilege of presenting to the king three candidates for each vacancy in ecclesiastical livings and offices of judicature.

Art. 238. The king shall make the necessary regulations concerning the government of the council of state, after having previously taken their advice, which regulations shall be laid before the cortes, for their approbation.

Art. 239. No counsellor of state shall be removed from office, without lawful cause, which shall be certified by the supreme tribunal of justice.

Art. 240. The cortes shall fix the compensation which shall be allowed to the counsellors of state.

Art. 241. On taking possession of their offices, the counsellors of state shall, before the king, make oath that they will maintain the constitution; that they will be faithful to him; and that their advice shall always be directed to the welfare of the nation, without regard to private interests.

TITLE V.

Of the tribunals and the administration of justice in civil and criminal cases.

CHAPTER I.

Of the tribunals.

Art. 242. The tribunals shall have the exclusive power of applying the laws in civil and criminal cases.

Art. 243. Neither the cortes nor the king shall in any case exercise the judicial functions; prevent the trial of pending suits; nor order a review or rehearing of adjudged cases.

Art. 244. The order of proceeding in the several causes shall be determined by the laws. It shall be the same for all the tribunals; and neither the cortes nor the king shall deviate from it.

Art. 245. The tribunals shall exercise no other functions than those of hearing and determining causes, and of causing their judgments to be carried into execution.

Art. 246. They shall not suspend the execution of the laws, nor make any regulations concerning the administration of justice.

Art. 247. No Spaniard shall be tried by special commissions, in civil or criminal cases, but by the competent tribunal, invested by law with proper authority.

Art. 248. There shall be but one judicature for all classes of persons, in all cases, civil and criminal, not herein specially exempted.

Art. 249. The ecclesiastics shall continue under the ecclesiastical jurisdiction, as it now is or may be hereafter established by law.

Art. 250. The military shall likewise remain under their own jurisdiction, as is or shall be hereafter provided by law.

Art. 251. No one shall be appointed to the office

of judge or magistrate who was not born in the Spanish territory, and is not full five and twenty years of age. The other requisite qualifications shall be determined by the laws.

Art. 252. The judges and magistrates shall not be removed from office, whether appointed for a limited time or for life, unless legally convicted of improper conduct; and they shall not be suspended from their functions, unless there shall be an accusation depending against them in legal form.

Art. 253. If any complaints against a magistrate shall be laid before the king, and, after due investigation, shall appear to him to be well grounded, he may, with advice of the council of state, suspend such magistrate from his functions; but shall refer the case to the supreme tribunal of justice, which shall decree on the merits of the case according to law.

Art. 254. The judges shall be personally responsible for their non-observance of the laws in civil and criminal cases.

Art. 255. A popular action will lie against all judges and magistrates who shall be accused of bribery, corruption, and prevarication.

Art. 256. The cortes shall fix the compensation which shall be allowed to the judges and magistrates.

Art. 257. Justice shall be administered in the king's name, and all the decrees and mandates of the superior tribunals shall likewise be issued in his name.

Art. 258. The civil and criminal code, and that of commerce, shall be the same throughout the kingdom, without prejudice to the alterations which, in particular circumstances, the cortes shall think necessary to make therein.

Art. 259. There shall be established in the capital of the kingdom a tribunal, which shall be denominated the supreme tribunal of justice.

Art. 260. The number of magistrates who shall compose that tribunal, as well as the place of their sittings, shall be determined by the cortes.

Art. 261. That tribunal shall have power—

1. To adjust the controversies which shall arise between the several courts of justice throughout the Spanish territory, and those which shall arise between these courts and the special tribunals established in the peninsula and adjacent islands. In the ultramarine dominions, the like controversies shall be adjusted as the law shall direct;

2. To try the ministers of state, after the cortes shall have decreed that there is cause of accusation against them;

3. To take cognizance of all cases relating to the dismissal or suspension of the members of the council of state, and of the magistrates of the several courts;

4. To take cognizance of all criminal suits brought against the ministers and counsellors of state, and the judges of the several courts. The preparatory proceedings shall be had before the civil officer the highest in rank, who shall report the same to that tribunal;

5. To take cognizance of all criminal prosecution against members of this supreme tribunal; and when a case shall occur in which it shall be necessary to enforce the responsibility of this supreme tribunal, the cortes shall, in manner prescribed by article 238, proceed to the appointment of a tribunal for that purpose, which shall be composed of nine judges chosen by lot from among double that number;

6. To take cognizance of the accounts of public functionaries, who are bound to render the same by law;

7. To take cognizance of all litigious matters concerning the royal advowsons, and right of patronage;

8. To issue prohibitions to the superior ecclesiastical tribunals, and keep them within the proper limits of their jurisdiction and the law;

9. To take cognizance of appeals for errors in law, which may be interposed from the sentences of superior tribunals, to correct the errors, remit the proceedings, and enforce the responsibility mentioned above, art. 254. As to the ultramarine provinces, the correction of errors shall belong to the courts of audience; in manner and form as will be hereinafter mentioned;

10. To receive the communications of the several tribunals on the subject of their doubts respecting the proper construction of any law, and to take the king's advice thereon, laying before him the documents in their possession, that he may obtain a proper decision from the cortes;

11. To examine the lists of civil and criminal cases, which shall be forwarded to them by the courts of audience, in order to accelerate the administration of justice; to send copies thereof to the government for the same purpose, and cause them to be printed for public information.

Art. 262. All civil and criminal suits shall be heard and determined within the territorial jurisdiction of each respective court of audience.

Art. 263. The courts of audience shall take cognizance, in the second and third instances, of all civil and criminal causes brought before the inferior tribunals within their respective districts, in the manner determined by the law; and likewise of all causes respecting the dismissal and impeachment of the inferior judges of their district, and shall report the same to the king.

Art. 264. Those magistrates who shall have heard and determined a cause in the second instance, shall not sit as judges in the third trial of the same.

Art. 265. The courts of audience shall likewise take cognizance of all controversies which may arise between the inferior judges of their district.

Art. 266. They shall moreover take cognizance of the sentences of the ecclesiastical tribunals and other authorities within their district, and keep them within proper legal limits.

Art. 267. They shall also receive from all the inferior judges within their district, notice of all criminal prosecutions, and lists of all civil and criminal causes pending in their respective tribunals, and the stage in which they are, in order to promote the prompt execution of justice.

Art. 268. In the ultramarine provinces the courts of audience shall take cognizance of appeals for errors in law; the appeal shall be made to those courts which shall have a sufficient number of magistrates to form three distinct tribunals, and have in no instance had cognizance of the cause. In those courts of audience that have not that number of magistrates, these appeals shall be interposed from one court of audience to another within the district of the same superior government; and in the case where there shall be but one court of audience in such district, the appeal shall be carried to the court of the next district.

To be concluded in next number.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

It was only by the use of our small type that we could get into this sheet the remaining part of the Spanish constitution, with the documents which accompanied the late message of the president, concerning our relations with Spain.

Congress ended its session on Monday last as agreed upon, to meet again on the 2nd Monday of November next. An account of the proceedings of the three last days of the session, together with a list of the acts passed, are, of necessity, postponed until next week, when the due record shall be made.

Some part of the little room which was at our disposal, is given to a brief abstract of late news from Europe, which is in a very restless and uncertain state. See page 222.

A friend of the REGISTER, at Philadelphia, has suggested the publication in this work of the journal of the convention which formed the constitution of the United States, and also of the secret journal of congress, prior to 1787, recently ordered to be printed by congress—saying, "that these documents, important as they are to every American, are confined in their circulation to a very limited number.

This proposition shall be taken into serious consideration, and if these valuable papers can be got into the space likely to be afforded during the ensuing summer, we shall spread them before the American people, and enrich our work with them. But much room will be required to dispose of things already promised, and which it is indispensable necessary that we should register.

(Spanish constitution—concluded from page 208.)

Art. 269. The court of audience having decreed, that there is error in the proceedings appealed from, shall make a report thereof and forward the proper documents to the supreme tribunal of justice, that it may enforce the responsibility mentioned above, art. 254.

Art. 270. The courts of audience shall transmit, every year, to the supreme tribunal of justice, correct lists of all civil causes; and every six months, of all criminal cases decided by, or pending before their respective tribunals, together with the state of forwardness of the said causes, and of those reported to them by the inferior tribunals.

Art. 271. The number of the judges who are to compose the courts of audience, and which shall never be less than seven, shall be determined by law and special regulations, as well as the rules to be observed by those tribunals, and the places where they shall be established.

Art. 272. When it shall be found convenient to make a new division of the Spanish territory, as mentioned in art. 11, the number of courts of audience shall be regulated accordingly, as well as the places in which they shall be established.

Art. 273. The districts shall be proportionally equal, and in each chief district there shall be a judge with a competent jurisdiction.

Art. 274. The powers of those judges shall be absolutely limited to litigated cases, and the law shall determine those that shall come within their jurisdiction in the chief and other towns of their district, and to what amount they can give judgment without appeal.

Art. 275. Justices of the peace (*alcaldes*) shall be established in all the towns, and the law shall determine how far their power shall extend in contentions and family affairs.

Art. 276. All the judges of the inferior tribunals shall, within three days at farthest, render an account to their respective courts of audience of all the criminal causes brought before them, and they shall afterwards report the state of those proceedings at such times as shall be prescribed by the said courts respectively.

Art. 277. They shall also transmit, every six months, to their respective courts of audience, general lists of all the civil causes; and every three months, of all the criminal ones pending before their tribunal, mentioning the state of forwardness in which they are.

Art. 278. The law shall decide whether special tribunals shall be established to take cognizance of certain peculiar cases, which the law shall define.

Art. 279. The judges and magistrates, before they shall enter upon the exercise of their functions, shall take an oath to maintain the constitution, to be faithful to the king, to observe the laws and to administer justice with impartiality.

CHAPTER II.

Of the administration of justice in civil cases.

Art. 280. No Spaniard can be deprived of the right of having his differences terminated by arbitrators chosen by both parties.

Art. 281. Records of arbitrators shall be carried into execution, if the parties have not reserved to themselves the right of appealing therefrom.

Art. 282. The alcalde of each town shall exercise therein the office of mediator, and in all cases of civil complaints for wrongs done or injuries received, the parties shall appear before him in that capacity.

Art. 283. The alcalde, assisted by two men of good character, appointed by each of the parties, shall hear the allegations of the parties; and, after taking the advice of the two above-mentioned persons, he shall take such measures as he may think best calculated to effect a compromise, without any further proceedings; and the controversy shall in fact be terminated, if the parties choose to abide by this extra judicial decision.

Art. 284. No suit at law shall be commenced, if it shall not appear that conciliatory measures have first been resorted to.

Art. 285. All suits, of whatever consequence they may be, shall have at most three trials, and three final judgments. When two like sentences shall have been given, and the suit shall be carried to a third trial, the number of judges on that third trial shall be greater than that of those who sat on the second, in such proportion as shall be determined by law. The law shall likewise determine on general principles from the nature of the different tribunals, and of the causes to be brought before them, how and in what cases their sentences are to be put in execution.

CHAPTER III.

Of the administration of justice in criminal cases.

Art. 286. The law shall direct how justice shall be administered in criminal cases, so that they may be regularly but speedily heard and decided, and the offenders brought to prompt punishment.

Art. 287. No Spaniard shall be arrested unless an information, or inquest of facts upon oath, has been previously taken and reduced to writing in due form of law, and unless from that inquest or information it shall appear that the officer charged subjects the offender to corporal punishment. Nor shall such arrests take place, without a special mandate from the judge, which shall be made known to the party at the time of arresting him.

Art. 288. Every person shall be bound to obey those mandates; any resistance offered thereto shall be considered as a high crime.

Art. 289. If resistance shall be offered, or if there is any reason to suspect that the offender may escape, force may be resorted to, in order to secure his person.

Art. 290. The person arrested, before he is committed, shall be brought if possible before a judge, to be examined; otherwise he shall be carried to prison, and the judge shall examine him within twenty-four hours thereafter.

Art. 291. The prisoner shall not be examined upon oath; and in criminal cases, no oath shall be received from any person in his own cause.

Art. 292. Every one has a right to arrest any person or persons taken *flagranti delicto*, and to carry him or them before the judge, to be proceeded against as is prescribed by the two next preceding articles.

Art. 293. If there is cause for commitment, the judge shall issue his warrant to that effect in writing, stating the cause, a copy of which shall be delivered to the jailer, to be entered in his calendar. The jailer shall be made responsible if he receives any prisoner without that formality.

Art. 294. The property of an offender shall only be attached in cases involving pecuniary responsibility, and in proportion only to the extent of such responsibility.

Art. 295. No person shall be committed to prison who shall give sufficient bail, except in cases expressly provided by law.

Art. 296. At whatever stage of the prosecution, whenever it shall appear that the offender does not subject the offender to corporal punishment, he shall be set at liberty on giving bail.

Art. 297. The prisons shall be regulated so as to secure and not molest the persons of the prisoners. Therefore, the jailers shall keep them clean and in good order; they shall separate those with whom the judges have forbidden all communication, but shall never confine them in dungeons or unhealthy cells.

Art. 298. The law shall direct the periods at which the prisons shall be inspected, and no prisoner, under any sentence whatever, shall be exempted from such inspection.

Art. 299. The judges and alcaldes who shall not conform themselves to the provisions of the preceding articles, shall be punished as guilty of false imprisonment, which shall be reputed a crime, and a punishment provided therefor by the criminal code.

Art. 300. Within twenty-four hours the accused shall be informed of the cause of his detention, and the name of his accuser, if there be any.

Art. 301. On the examination of the accused, all the documents shall be literally read to him, together with the depositions of witnesses, and their names, that, if they are unknown to him, he may know who they are.

Art. 302. The proceedings shall be afterwards published in such manner as shall be prescribed by law.

Art. 303. Torture and other like compulsory means shall never be used.

Art. 304. The estates of criminals shall never be confiscated.

Art. 305. No punishment, for whatever crime, shall extend to the family of the offender for any period of time; the culprit alone shall suffer for his crime.

Art. 306. The house of a citizen shall not be entered by force, except in cases determined by law for the good order and safety of the state.

Art. 307. If afterwards the cortes shall think proper to make a distinction between judges of fact, and judges of law, they shall establish such distinction in the most convenient manner.

Art. 308. If, in extraordinary circumstances, the safety of the state shall require that some of the formalities prescribed in this chapter, for the security of offenders, in the whole or part of the monarchy, be suspended, the cortes shall decree such suspension for a limited time.

TITLE VI.

Of the internal government of the provinces and towns.

CHAPTER I.

Of municipal councils.

Art. 309. For the internal government of towns, there shall be municipal councils composed of the chief magistrates (alcaldes or alcaides), aldermen (regidores), and the procurator syndic, or town prior; they shall be provided over by the principal civil officer; in default of him by the alcaide, or by him who has the oldest commission, if there are two.

Art. 310. There shall be municipal councils throughout the kingdom, even in those towns in which there is at present no such establishment. There shall be one in each town, the population of which, together with its district, amounts to one thousand souls, and proper limits shall be assigned to each township.

Art. 311. The number of persons of each class who are to compose the municipal councils shall be determined by law, according to the respective population of towns.

Art. 312. The alcaides, regidores, and town proctors shall be elected by ballot in the several towns.

Art. 313. The citizens of each town shall assemble every year, in the month of December, in order to elect, by a majority of votes, and in proportion to their population, a certain number of electors, who shall be resident within the said town, and in the full exercise of the rights of citizenship.

Art. 314. The electors shall, in the same month, appoint by an absolute majority of votes, the alcaide or alcaides, regidores, and town proctor or proctors, who shall enter on the exercise of their functions on the first day of January, of the following year.

Art. 315. The alcaides shall be changed every year, as well as one half the number of regidores and town proctors, if there are two; if only one, he shall be changed every year.

Art. 316. The above-named officers shall not again be elected to the said offices, except after an interval of two years, if the population will admit of it.

Art. 317. No one shall be made an alcaide, regidor, or town proctor, who, besides being a citizen in the full exercise of his rights, is not above twenty-five years of age, and has not resided at least five years in the town; the other qualifications required to exercise such functions shall be determined by law.

Art. 318. No public functionary, appointed by the king, and in the exercise of his functions, shall be nominated to the office of alcaide, regidor, or town proctor. Those persons who serve in the militia are not included in this article.

Art. 319. No one, without a legal cause, can excuse himself from exercising the aforesaid municipal offices.

Art. 320. Each municipal council shall elect, by an absolute majority of votes, one secretary, who shall be paid out of the funds of the corporation.

Art. 321. The municipal councils shall have power—

1. To see that the town be kept clean and healthy;
2. To aid the alcaide in all that concerns the persons and property of the inhabitants, and the preservation of public order;
3. To collect and administer the corporation revenue, and exercise duties, conformably to the law and regulations; also to appoint a treasurer, under the responsibility of those who shall have elected him;
4. To assess and collect the contributions, and pay the same over into the proper treasury;
5. To superintend the grammar schools and other seminaries of learning, paid out of the funds of the corporation;
6. To oversee the hospitals, the founding hospitals, and other charitable institutions, under such regulations as shall be prescribed;
7. To direct the construction and repairs of highways, causeways, bridges, and prisons; and also to take care of the woods and forests belonging to the township, and all public works of necessity, utility, and ornament;
8. To make municipal regulations for the town, and to transmit them to the cortes for their approbation, through the provincial council, who shall forward the same, together with their opinion thereon;
9. To promote agriculture, industry, and commerce, according to the locality and circumstances of the place, and any other thing which may be useful and advantageous to it.

Art. 322. If it shall happen that some works, or other objects of public utility, shall be wanted, and that the corporation or town revenues shall not prove sufficient, and it shall be necessary to have recourse to excise duties, there shall not be levied without the previous authorisation of the cortes, communicated through the provincial council. If the object for which such duties are wanted cannot be delayed, the municipality may, with the consent of the said provincial council, lay the same *pro tempore*, until the determination of the cortes be known. The monies accruing from these duties shall be administered in like manner with those proceeding from the corporation or town revenues.

Art. 323. The municipal councils shall discharge the above-mentioned duties, under the inspection of the provincial council, and shall transmit to them, every year, an authenticated account of the receipts and expenditures of the public monies.

CHAPTER II.

Of the civil government of the provinces, and of the provincial councils.

Art. 324. The civil government of the provinces shall be vested in a governor, or president, whom the king shall appoint in each of them for that purpose.

Art. 325. In order to promote the prosperity of the provinces, there shall be in each of them a council, which shall be denominated provincial council, and which shall be provided over by the person exercising the supreme authority within the province.

Art. 326. The provincial council shall be composed of the president and intendant of the province, and of seven members, who shall be elected as hereinafter prescribed, without prejudice to the alterations in that number which the cortes shall think proper to make, or circumstances shall require, after the new partition of the provinces mentioned in the 11th article.

Art. 327. One half of the members of the provincial council shall be renewed every two years; the seats of the largest division shall be vacated at the expiration of the first two years, and the lesser division at the expiration of the second term; and so on progressively.

Art. 328. The members of the provincial council shall be elected by the district electors on the day after they shall have elected the deputies to the cortes, and in the same manner.

Art. 329. They shall at the same time, and in the same manner, elect three substitutes for each provincial council.

Art. 330. No one shall be a member of a provincial council, who is not a citizen in the full exercise of his rights, is not above twenty-five years of age, and was not born, or has not resided in the province at least seven years, and has not a sufficient competency to enable him to live with decency. No functionary, appointed by the king, as mentioned in the 318th article, shall be a member of a provincial council.

Art. 331. No person shall be elected a second time, but after an interval of four years, from the time he shall have ceased to exercise his functions.

Art. 332. If, by some cause or other, the governor of the province be prevented from presiding at the provincial council, it shall be provided over by the intendant, and, on his default, by the first elected members.

Art. 333. The provincial council shall appoint a secretary, who shall be paid out of the funds of the province.

Art. 334. The provincial councils shall hold their sessions ninety days, at most, in the whole year, and these shall be fixed at the most convenient periods. In the peninsula, they shall assemble on the first day of March; and on the first day of June, in the ultramarine provinces.

Art. 335. The provincial councils shall have power—

1. To take cognizance and approve of the assessment of the taxes accruing to the province among the different towns;
 2. To see that, in the towns, the public money be well employed, and examine their accounts, in order that, being authenticated by them, they may obtain the superior approbation, conforming themselves, in every point, to what is prescribed by law and the regulations;
 3. To see that municipal councils are established where they are required, according to the provisions of article 310.
 4. To propose to the government to levy excise duties for the erection of public works of general utility, or the repairing of old ones, in order to obtain the consent of the cortes there to.
- If, in the ultramarine provinces, the urgency of the public works shall not permit to wait for the resolution of the cortes, the provincial council may, with the express consent of the governor of the province, levy an excise duty, giving an account thereof to the government immediately, in order to obtain the approbation of the cortes.
- The provincial council shall, under its responsibility, appoint a treasurer, for the collection of the excise duty; and the accounts of the expenditures, after being examined by the provincial council, shall be transmitted to the government, to be by them certified, and finally sent to the cortes for their approbation;
5. To promote the education of youth, agreeably to the approved plans, encourage agriculture, industry and commerce, and favor those who shall have made useful discoveries in any branch thereof;
 6. To inform the government of the abuses which they shall have perceived in the administration of the public revenue;
 7. To make the census of the inhabitants, and a statistical report upon the state of the province;
 8. To see that the charitable institutions answer their respective objects, and to propose to the government such regulations as they shall think most conducive to the reformation of the abuses they may have observed;
 9. To inform the cortes of all infringements of the constitution made within their province;
 10. The provincial councils of the ultramarine provinces shall

attend to the order, economy and progress of the missions for the conversion of infidel Indians, and to the prevention of abuses in that branch of administration. The commissioners of such missions shall render their accounts to them, which accounts they shall in their turn forward to the government.

Art. 336. If any provincial council shall exceed its powers, the king may suspend its members from their functions, giving information thereof to the cortes, and of the motives which induced him so to do. The substitutes shall fill up the places of the suspended members.

Art. 337. All members of municipal and provincial councils shall, on entering upon the exercise of their functions, take an oath, the former before the principal civil officer of the jurisdiction, and, in his absence, the most ancient alcalde; and the latter before the principal civil officer of the province, to maintain the constitution of the Spanish monarchy; to obey the laws; to be faithful to the king; and religiously to fulfil the duties of their office.

TITLE VII.

Of public contributions.

Art. 338. The cortes shall every year establish or confirm the taxes, whether direct or indirect, general, provincial, or municipal. Those already established shall subsist until a law be made to the contrary, or new ones be laid.

Art. 339. The taxes shall be assessed upon all the Spaniards in proportion to their ability without exemption or privilege.

Art. 340. They shall be proportioned to the sums decreed by the cortes for all the branches of the public service.

Art. 341. In order to enable the cortes to determine the sums necessary for all the branches of the public service, the minister of finance shall, as soon as they shall be in session, transmit to them a general view of the sums wanted for the general expenditure; after he shall have him received from each of the ministers of state an account of the sums necessary to cover the expenses of their respective departments.

Art. 342. The minister of finance, in transmitting to the cortes a general view of the sums wanted, shall also submit to them a plan of taxation commensurate with the sum required.

Art. 343. If the king shall think that any of the taxes are too heavy or prejudicial, he shall make known the same to the cortes, through the minister of finance, and shall, at the same time, propose such other mode of raising revenue as he shall think most convenient.

Art. 344. After the amount of the direct taxes shall have been fixed, the cortes shall give their approbation to the apportionment thereof, which shall be made between the provinces according to their respective wealth, for which purpose the minister of finance shall transmit the necessary vouchers.

Art. 345. There shall be a national treasury, out of which the proceeds of the several taxes, designed for the service of the state, shall be taken.

Art. 346. There shall be a treasury in each of the provinces, into which the taxes of the province shall be collected for the general exchequer. These treasuries shall correspond with the national treasury, and shall hold their funds subject to its order.

Art. 347. No payment made by the national treasury shall be admitted into the treasurer's account, if it has not been made by virtue of an order from the king, counterigned by the minister of finance, in which shall be explained for what service such payment is required, together with the decree of the cortes authorising the same.

Art. 348. In order to insure the correctness of the accounts of the national treasury, the receipts and expenditures shall be examined by the several committees appointed for the examination of the receipts and expenditures of the public revenue.

Art. 349. Those committees shall be so regulated that they may answer the purpose for which they are instituted.

Art. 350. There shall be a superior committee of accounts, which shall be organized by a special law, and intrusted with the examination of all accounts of public monies.

Art. 351. The accounts of the national treasury, which shall contain the yearly amount of the receipts and expenditures of the public monies, shall, as soon as they have obtained the final approbation of the cortes, be printed, published, and forwarded to the provincial and municipal councils.

Art. 352. The accounts rendered by the several ministers of state, of the expenditures of the several branches of their departments, shall likewise be printed and published.

Art. 353. No other authority, except that to which it is immediately confided, shall interfere with the management of the public monies.

Art. 354. No custom-houses shall be established except in the seaports, and on the frontiers. This article shall not be put in execution until the cortes shall have determined upon it.

Art. 355. The cortes shall first direct their attention to the acknowledged national debt; and they shall devise the best means for its gradual extinguishment, and the payment of the interest of that which is due; and they shall also make the proper regulations for the administration of that important branch; and point out the proper measures to be taken, which shall be pursued independently of the national treasury, and of the committees of accounts.

TITLE VIII.

Of the national military force.

CHAPTER I.

Of the standing army.

Art. 356. There shall be a standing naval and land army for the external defence of the state, and the preservation of good order in the interior of the monarchy.

Art. 357. The cortes shall every year fix the necessary number

of troops, according to existing circumstances, and devise the best means of raising them.

Art. 358. They shall likewise determine the number of ships of war which are to be fitted out or kept in commission.

Art. 359. They shall also regulate, by means of ordinances, the discipline, pay, order of promotion, administration, and all that relates to the good order of the army and navy.

Art. 360. Military schools shall be established for the several branches of military education in the army and navy.

Art. 361. No Spaniard shall be exempted from the military service, when thereto required by law.

CHAPTER II.

Of the national militia.

Art. 362. There shall be in each province corps of national militia, which shall be composed of the inhabitants of the said province, in proportion to its population and circumstances.

Art. 363. The manner in which these corps shall be formed, their number, and all that relates to their constitution, shall be regulated by a special ordinance.

Art. 364. The militia shall not be kept in constant service, except when circumstances require it.

Art. 365. The king shall have power to dispose of the militia to serve within their respective provinces; but he shall not employ them out of the said provinces, without the consent of the cortes.

TITLE IX.

Of the public instruction.

Art. 366. Grammar schools shall be established in all the towns of the monarchy, where children shall be taught to read and write, arithmetic, and the catechism of the catholic religion, in which shall be included a short explanation of the duties of a citizen.

Art. 367. There shall be likewise established a competent number of universities and other institutions, where the sciences, belles lettres, and the fine arts shall be taught.

Art. 368. The general plan of instruction shall be uniform throughout the kingdom, and the civil constitution of the monarchy shall be explained in all those universities and institutions where the divine and civil laws are taught.

Art. 369. There shall be a general administration of public learning, composed of persons of known merit, who, under the authority of the government, shall be intrusted with the superintendence of the public instruction.

Art. 370. The cortes shall, by special statutes, regulate all that belongs to the important object of public education.

Art. 371. Every Spaniard shall enjoy the right of having his political ideas writ in, printed and published, without a previous licence, revision or approbation, but under such restrictions and responsibility as the law shall determine.

TITLE X.

Of the observance of the constitution, and of the mode of making amendments to it.

Art. 372. The cortes shall, in their first sessions, take into consideration the infringements of the constitution which shall have been made known to them, in order to apply the proper remedy and enforce the responsibility of the offenders.

Art. 373. Every Spaniard has a right to petition the cortes or the king, in order to claim a due observance of the constitution.

Art. 374. Every civil, military, or ecclesiastical public functionary, on entering on the duties of his office, shall promise, on oath, to maintain the constitution, to be faithful to the king, and to discharge the duties of his office with integrity.

Art. 375. After eight years shall have elapsed from the time at which all the parts of the constitution shall have been put into execution, it shall be lawful to propose alterations, additions, or amendments, to any of its articles.

Art. 376. No alteration, addition, or amendment to the constitution shall be made, unless the assembly of the cortes who shall have finally decreed it have special powers for the purpose.

Art. 377. Every proposition for making amendments to any article of the constitution shall be made in writing, and supported and signed by at least twenty deputies.

Art. 378. The bill for the amendment shall be read three times, and there shall be an interval of six days between each reading, and after the bill shall have been read a third time, the cortes shall determine whether it shall be debated or not.

Art. 379. The bill being admitted to debate, it shall be proceeded upon with the same formalities as are prescribed for the enactment of laws, and afterwards the vote shall be taken on the question, whether the same shall be debated anew in the next general cortes, and to that effect it shall be necessary that two-thirds of the voters shall concur in the same opinion.

Art. 380. The next following general cortes shall, after having gone through the same formalities, and with the concurrence of two thirds of its members, declare, within the two years of their sessions, that there is cause for granting special powers to make the amendment.

Art. 381. That declaration shall afterwards be published and forwarded to all the provinces, and, according to the period at which it shall be made, the cortes shall determine whether the deputies to the next general cortes, or of that next immediately succeeding, shall receive the above-mentioned special powers.

Art. 382. Those powers shall be granted by the provincial electoral meetings, and the following clause shall be inserted therein: "And we likewise do grant unto them the special power of making to the constitution the amendment mentioned in the decree of the cortes, the tenor of which is as follows: (here the decree shall be inserted literally) the whole, according to what is established in the said constitution, binding ourselves to acknowledge and hold as constitutional all that shall be decreed by virtue thereof."

Art. 383. The proposed amendment shall be debated anew, and, if approved of by two-thirds of the deputies, it shall be enacted into a constitutional law, and as such shall be published in the cortes.

Art. 384. The decree shall be presented to the king by a deputy, and he shall cause the same to be published and forwarded to all the authorities and towns in the monarchy.

Cádiz, the 18th day of March, in the year of 1812.

[Here follow the signatures of the members; a very numerous list, which we do not see any use in publishing. Vincent Pasqual, deputy from the city of Teruel, was president; among the secretaries was one from New Spain and another from Peru. There were deputies present from Cuba—the Canaries—New Granada—St. Domingo—New Spain, or Mexico—Censuela—New Biscay—New Galicia—the Philippines—Puerto Rico—Buenos Ayres—Mojito Vidco—Peru—Guayquil—Honduras—Chili—Venezuela, and other foreign possessions.]

Wherefore we command all Spaniards, our subjects, of whatever class and condition, that they hold and keep the above constitution as a fundamental law of the monarchy; and we likewise command all the tribunals, justices, chiefs, governors, and other authorities, civil, military and ecclesiastical, of whatever class and dignity, that they keep, and cause to be kept, fulfilled, and executed in all its parts, the said constitution. Thus you are to understand, and shall direct what is necessary for its fulfilment, causing it to be printed, published, and circulated.

Joaquín de Mosquera y Figueroa, president.

Juan Villavicencio,

Ygnacio Rodriguez de Rivas,

El Conde del Abisbal.

Cádiz, March the 19th, 1812.

To Don Ygnacio de Pezuela.

I communicate the same to you by order of the regency of the kingdom, for its fulfilment. May God preserve you many years.

Cádiz, the 2d of May, 1812.

YGNACIO DE LA PEZUELA.

Relations with Spain.

DOCUMENTS ACCOMPANYING THE PRESIDENT'S MESSAGE OF THE 9TH INST.

Recal of Mr. Onís.

[TRANSLATION.]

Don Ferdinand the seventh, king, by the grace of God, of Castile, Leon, and Arragon; of the two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Cordova, Corsica, Murcia, Jaen, the Algarves, Algeziras, Gibraltar, the Canary Islands; of the two Indies, and of the Islands of the Ocean Sea; archduke of Austria; duke of Burgundy, of Brabant, and Milan; count of Hapsburg, Flanders, Tirol, and Barcelona; lord of Biscay and Molina: To my great and good friends the United States of America:

Great and good friends: It having been represented to us by don Luis de Onís, our envoy extraordinary and minister plenipotentiary to you, that he is desirous to return to Europe, for the recovery of his health, we have thought fit to grant to him the necessary permission for that purpose. We have, therefore, authorised him to take his leave of you, and have charged him, in so doing, to assure you of our constant friendship and desire to maintain and strengthen the ties of amity now happily subsisting between us. On his faithful execution of these our commands, we rely with confidence, as we do that you will receive with satisfaction these renewed assurances.

We conclude by commending you to God; and we pray that he would have you in his safe and holy keeping.

Madrid, of 1819.

Your good friend, FERDINAND.

Joaquín Jose Melgarejo de Ruiz Davalos.

A true copy.

L. the duke of SAN FERNANDO and QUIROGA.

Don Luis de Onís to the secretary of state.

[TRANSLATION.]

SIR—Having received from my sovereign an appointment to other duties, and being thereby deprived of the satisfaction of presenting to the president the letters of re-credence of the king, my

master, I am under the necessity of transmitting them to you, with my request that you would be pleased to lay them before his excellency the president; to whom you will also make it known, that his majesty, on deciding to terminate my mission to your government, has commanded me to express to it the assurance of his unalterable desire to maintain the strict friendship now happily subsisting between both powers.

In fulfilling these orders of my sovereign, permit me, sir, also, to express to you the deep sense I entertain of the personal attentions with which I was honored by the president, by yourself in particular, and by the citizens of the union in general; and to add the assurance, that it will ever be to me a subject of the most grateful reflection, if, in the discharge of my duties, and in the execution of the orders of my government, whose object it always has been to establish the most perfect harmony between the two countries, I shall have been so fortunate as to have acquired the esteem of the president, together with yours.

I pray you, sir, to receive the further assurance of my distinguished sentiments, and my wish that God may preserve you many years.

Madrid, January 27, 1820:

LUIS DE ONIS.

Credential letter delivered by general Vives to the president of the United States.

[TRANSLATION.]

Don Ferdinand the seventh, king, by the grace of God, of Castile, Leon, and Arragon; of the two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Cordova, Corsica, Murcia, Jaen, the Algarves, Algeziras, Gibraltar, the Canary islands; of the two Indies, and of the islands of the Ocean Sea; archduke of Austria, duke of Burgunda, of Brabant, and Milan; count of Hapsburg, Flanders, Tirol, and Barcelona; lord of Biscay and of Molina:

To my great and good friends the United States of America:

Great and good friends: Being animated by the most sincere desire to maintain the friendship and good understanding happily subsisting between both countries, and it being necessary, to that end, that another person, possessing our entire confidence, should be forthwith deputed to you, as a successor to our late envoy and minister plenipotentiary, don Luis de Onís, to whom we have granted leave to return to Europe, for the re-establishment of his health, we have thought fit to confer the said appointment on don Francisco Dionisio Vives, a major general of our armies, knight of the third class of the royal and military order of Saint Ferdinand, and a member of the supreme council of the said order; knight of the royal and military order of St. Hermenegildo; twice honored by decrees of thanks for patriotic services; decorated with the north star, and crosses of honor, for distinguished conduct of valor at the battles of Albuera, Sorauren, Lugo, Tamañes and Medina del Campo; also, at the surrender of Villa Franca to the army of the left; he uniting the requisite qualifications for the due discharge of the said trust.

We therefore hope that, on his presenting to you this our letter of credence, you will grant him a kind and favorable reception; giving all faith and credit to what he shall say to you on our behalf.

Done at Madrid, this fifteenth day of December, 1819.

FERDINAND.

Countersigned—Joaquín Jose Melgarejo de Ruiz Davalos.

A true copy.

L. the duke of SAN FERNANDO and QUIROGA.

[TRANSLATION.]

General don Francisco Dionisio Vives to the secretary of state.

SIR—In conformity with the orders of my government, which were communicated to Mr. Forsyth on the 16th of December last, by his excellency the duke of San Fernando and Quiroga, and with the earnest desire of the king, my master, to see a speedy adjustment of the existing difficulties which obstruct the establishment, on a permanent basis, of the good understanding so obviously required by the interests of both powers, I have the honor to address you, and frankly to state to you, that my august sovereign, after a mature and deliberate examination, in full council, of the treaty of the 22d February of the last year, saw, with great regret, that, in its tenor, it was very far from embracing all the measures indispensably requisite to that degree of stability which, from his sense of justice, he was anxious to see established in the settlement of the existing differences between the two nations.

The system of hostility, which appears to be pursued in so many parts of the union, against the Spanish dominions, as well as against the property of all their inhabitants, is so public and notorious, that, to enter into detail, would only serve to increase the causes of dissatisfaction; I may be allowed, however, to remark, that they have been justly denounced to the public of the United States, even by some of their own fellow-citizens.

Such a state of things, therefore, in which individuals may be considered as being at war, while their governments are at peace with each other, is diametrically opposed to the mutual and sincere friendship, and to the good understanding which it was the object of the treaty (though the attempt has failed) to establish, and of the immense sacrifices consented to by his majesty to promote.

These alone were motives of sufficient weight imperiously to dictate the propriety of suspending the ratification of the treaty, even although the American envoy had not at first announced, in the name of his government, and subsequently required, of that of Spain, a declaration which tended directly to annul one of its most clear, precise, and conclusive articles, even after the signature and ratification of the treaty.

The king, my master, influenced by considerations so powerful as to carry with them the fullest evidence, has, therefore, judged it necessary and indispensable, in the exercise of his duties as a sovereign, to request certain explanations of your government; and he has, in consequence, given me his commands to propose to it the following points; in the discussion and final arrangement of which, it seems proper that the relative state of the two nations should be taken into full consideration.

That the United States, taking into due consideration the scandalous system of piracy established in, and carried on from, several of their ports, will adopt measures, satisfactory and effectual, to repress the barbarous excesses, and unexampled depredations, daily committed upon Spain, her possessions, and properties; so as to satisfy what is due to international rights, and is equally claimed by the honor of the American people.

That, in order to put a total stop to any future armaments, and to prevent all aid whatsoever being afforded from any part of the union, which may be intended to be directed against, and employed in the invasion of H. C. majesty's possessions in North America, the United States will agree to offer a pledge (a dar una seguridad) that their integrity shall be respected.

And, finally, that they will form no relations with the pretended governments of the revolted provinces of Spain, situate beyond sea, and will conform to the course of proceeding adopted, in this respect, by other powers in amity with Spain.

In submitting to you these just and natural demands, I have received the orders of the king, my master, to make known to the president that they would have been regularly communicated to the minister plenipotentiary of the United States at Madrid, if, in the excess of his zeal, he had not, at an early period, been induced to express himself in terms disrespectful to the dignity of his majesty; and I am, at the same time, commanded to give the assurance that, in alluding to an incident of so unpleasant a nature, it is not intended to make the conduct of Mr. Forsyth a subject of complaint, but merely to make your government fully acquainted with the motives of my august sovereign, in adopting the resolution as already stated.

I flatter myself that the president, on an attentive examination of the contents of this note, entirely dictated by sentiments of justice, will see a decisive evidence of the sincere desire of the king, my master, to attain with promptitude the definitive settlement of a transaction, no less important in itself, than it is essential to the mutual interests of the two countries.

I eagerly avail myself of this occasion to assure you of my perfect respect, and highest consideration. I pray that God may long preserve you.

FRANCISCO DIONISIO VIVES.

Washington, April 14, 1820.

The secretary of state to general don Francisco Dionisio Vives, envoy extraordinary and minister plenipotentiary from Spain.

DEPARTMENT OF STATE,

Washington, 18th April, 1820.

SIR—Before replying to the letter which I have had the honor of receiving from you, dated the 14th instant, I am directed by the president of the United States to request a copy of your full powers; and to be informed whether you are the bearer of the ratification, by his catholic majesty, of the treaty signed on the 23d of February, 1819, by don Louis de Onis; and are ready, in the event of suitable explanations being given upon the points mentioned in your letter, to exchange the same for the ratification on the part of the U. States, if the senate should advise and consent that such exchange of ratifications should now be accepted.

Please to accept the assurance of my distinguished consideration. JOHN QUINCY ADAMS.

General don Francisco Dionisio Vives to the secretary of state.

[TRANSLATION.]

SIR—In answer to your note of yesterday's date, and in compliance with the request stated in its first point, I have the honor to enclose a copy of my full powers.

I have, at the same time, to inform you that I am not the bearer of the ratification of the treaty of the 22d of February, 1819, signed by don Luis de Onis; nor does it seem agreeable to the natural course of things, and to established usage, that a treaty should be ratified previous to a removal of the obstacles which have expressly caused the suspension of its ratification. But I am enabled to assure you that I am fully authorised to offer a solemn promise, in the name of the king, my master, that, if the result of the proposals presented in my first note be satisfactory, the ratification of the treaty

will be attended with no further delay than the time indispensably necessary for the arrival at Madrid of one of the gentlemen attached to my legation, who has accompanied me for that especial purpose.

I renew to you, sir, the assurance of my distinguished consideration, and I pray God long to preserve you.

FRANCISCO DIONISIO VIVES.

Washington, 19th April, 1820.

Full power of general Vives.

[TRANSLATION.]

Don Ferdinand the seventh, king, by the grace of God, of Castile, Leon and Arragon, of the two Sicilies, Jerusalem, Navarre, Grenada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Cordova, Corsica, Murcia, Jaen, the Algarves, Gibraltar, the Canary islands, of both Indies, and of the Isles of the Ocean; archduke of Austria, duke of Burgundy, Brabant, and Milan; count of Hapsburg, Flanders, Tirol, and Barcelona; lord of Biscay, and of Molina, &c. &c. &c.

The state of peace, amity, and good understanding, now happily subsisting between us and the United States of North America, being favorable to the mutual and amicable adjustment and settlement of all existing differences between the two governments; and it being expedient, to that end, to authorise a person, having our confidence, and possessed of the requisite information, experience, and political knowledge, for so important a trust: which qualities uniting in you, don Francisco Dionisio Vives, a major general in our service, a knight of the royal and military order of San Ferdinand, and member of the supreme council of the said order; a knight of the royal and military order of Saint Hermenegildo; twice honored by decrees of thanks for public services; decorated with the order of the north star, and crosses of honor, for distinguished conduct and valor at the battles of Albuera, Sorauren, Lugo, Tameses, and Medina del Campo, the surrender of Villa Franca del Vierzo, in the operations of the army of the left, at the sieges of Pampeluna and Bayonne; and our envoy extraordinary and minister plenipotentiary to the above named states.

We have authorised, and by these presents we do authorise you, granting you full power, in the most ample form, to meet and confer with such person or persons as may be duly authorised by the government of the United States; and with him or them to settle, conclude, and sign, whatsoever you may judge necessary to the best arrangement of all points depending between the two governments; promising, as we do hereby promise, upon the faith and word of a king, to approve, ratify, and fulfil, such articles or agreements as you may conclude and sign.

In testimony whereof, I have commanded the present to be issued, signed by us, sealed with our privy seal, and countersigned by the undersigned, our principal secretary of state, and of universal despatch. Given at Madrid, the 15th of December, 1819.

I, THE KING.

Countersigned,

L. Joaquim Jose Melgarejo de Ruiz Devalos.

The secretary of state to general don Francisco Dionisio Vives.

DEPARTMENT OF STATE,
Washington, 21st April, 1820.

SIR—I am directed by the president of the United States to express to you the surprise and concern with which he has learnt that you are not the

bearer of the ratification, by his catholic majesty, of the treaty signed on the 22d February, 1819, by don Luis de Onis, by virtue of a full power, equally comprehensive with that which you have now produced. A full power, by which his catholic majesty promised, "on the faith and word of a king, to approve, ratify, and fulfil, whatsoever might be stipulated and signed by him."

By the universal usage of nations, nothing can release a sovereign from the obligation of a promise thus made, except the proof that his minister, so empowered, has been faithless to his trust, by transgressing his instructions.

Your sovereign has not proved, nor even alleged, that Mr. Onis had transcended his instructions; on the contrary, with the credential letter which you have delivered, the president has learnt that he has been relieved from the mission to the United States only to receive a new proof of the continued confidence of his catholic majesty, in the appointment to another mission, of equal dignity and importance.

On the faith of this promise of the king, the treaty was signed and ratified on the part of the United States; and it contained a stipulation that it should also be ratified by his catholic majesty, so that the ratifications should, within six months from the date of its signature, be exchanged.

In withholding this promised ratification beyond the stipulated period, his catholic majesty made known to the president that he should forthwith despatch a person, possessing entirely his confidence, to ask certain *explanations*, which were deemed by him necessary previous to the performance of his promise to execute the ratification.

The minister of the United States at Madrid was enabled, and offered to give all the *explanations* which could justly be required in relation to the treaty. Your government declined even to make known to him their character; and they are now, after the lapse of more than a year, first officially disclosed by you.

I am directed by the president to inform you, that explanations which ought to be satisfactory to your government, will readily be given upon all the points mentioned in your letter of the 14th inst. but that he considers none of them, in the present state of the relations between the two countries, as points for *discussion*. It is indispensable that, before entering into any new negotiation between the United States and Spain, that relating to the treaty already signed should be closed. If, upon receiving the *explanations* which your government has asked, and which I am prepared to give, you are authorised to issue orders to the Spanish officers commanding in Florida to deliver up to those of the United States who may be authorised to receive it, immediate possession of the province, conformably to the stipulations of the treaty, the president, if such shall be the advice and consent of the senate, will wait (with such possession given) for the ratification of his catholic majesty, till your messenger shall have time to proceed to Madrid. But if you have no such authority, the president considers it would be at once an unprofitable waste of time, and a course incompatible with the dignity of this nation, to give explanations which are to lead to no satisfactory result; and to resume a negotiation, the conclusion of which can no longer be deferred.

Be pleased to accept the assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

General don Francisco Dionisio Vives to the secretary of state.

[TRANSLATION.]

SIR—In acknowledging the receipt of your note of the 21st instant, I have the honor to remark, in the first place, that you appear to have misconceived a material part of my letter of the 14th, by reproducing arguments which have been already sufficiently refuted by my government. You will, therefore, excuse me from reviving them here, in so far as they relate to the question whether a sovereign is, or is not, bound to ratify what may have been signed by his negociator, it being well known that various instances may be cited of cases in which the ratification of a treaty has been justly suspended, without alleging, as the motive for so doing, that the negociator had transcended his powers or instructions. There may, unquestionably, be other reasons sufficiently valid to exonerate him from the obligation of ratifying, supposing that to have been the case.

It is evident, that the scandalous proceedings of a number of American citizens; the decisions of several of the courts of the union; and the criminal expedition set on foot within it for the invasion of his majesty's possessions in North America, at the very period when the ratification was still pending, were diametrically opposite to the most sacred principles of amity, and to the nature and essence of the treaty itself. These hostile proceedings were, notwithstanding, tolerated by the federal government, and thus the evil was daily aggravated; so that the belief generally prevailed throughout Europe that the ratification of the treaty by Spain, and the acknowledgement of the independence of her rebellious trans-atlantic colonies, by the United States, would be simultaneous acts. The pretensions advanced by Mr. Forsyth, in relation to the 8th article, were also evidently calculated to render the treaty illusory. It is, therefore, not possible to assign reasons more powerful, or more completely justificatory of the sovereign resolution of the king, my master, to suspend his ratification of that instrument.

In my first note, I also hinted at the offensive terms employed by the American minister at Madrid, from the very outset; which you notice no further, than by taking up the second point upon which the one, which I now have the honor to contest, essentially turns. Although his majesty might certainly have kept aloof from a deportment so void of moderation, and so derogatory to his dignity, it is obvious that any discussions commenced with the minister so situated, were only likely to produce unprofitable results, his correspondence tending more powerfully to disunite than to reconcile the contracting parties. It was, indeed, a subject of great regret, that the incident just referred to; the distance of Spain from the new world, which from the obstructions to correspondence, produced unavoidable delay, in receiving correct information of the events passing here, and which to his majesty appeared incredible; and, in fine, his wish to avoid whatever had the appearance of an unfounded complaint, and an unpleasant difference between the two governments, should have retarded my arrival, and the happy conclusion of the transaction now pending.

I have further to state to you, that I am not authorised by his majesty to give the necessary orders to the Spanish authorities in the Floridas to deliver up those possessions to the United States; nor was this to be presumed, since, if it appeared contrary to the natural order of things, and to established

usage, that the treaty should be ratified previous to receiving the explanations which necessitated its suspension, it would, consequently, seem the more so, that it should receive its due accomplishment before it was finally ratified.

It is with equal surprise and concern that I observe, in the conclusion of your note, that you intimate the intention to decline any discussion of my proposals previous to the possession of the Floridas; since it appears to me that such discussion could not be long, in the event of your government being ready to accede to them; (in which case I repeat that I am authorised solemnly to promise, in the name of his majesty, that the ratification of the treaty shall be no longer delayed) nor, that the delay, unavoidably produced by that particular cause, in the occupation of the territories in question, could be considered as derogatory to the dignity of the United States; and the more so, as, until then, his catholic majesty would not be in the full possession of his rights.

I flatter myself that, on a consideration of the contents of this note, you will favor me with an answer more agreeable to my wishes.

In the mean time, I reiterate the assurance of my distinguished consideration and respect, praying God to preserve you many years.

FRANCISCO DIONISIO VIVES.

Washington, 24th April, 1820.

The secretary of state to general don Francisco Dionisio Vives, envoy extraordinary and minister plenipotentiary from Spain.

DEPARTMENT OF STATE,
Washington, 3d May, 1820.

SIR—The explanations upon the points mentioned in your letter of the 14th ultimo, which I have had the honor of giving you at large in the conference between us, on Saturday last, and the frankness of the assurances which I had the pleasure of receiving from you, of your conviction that they would prove satisfactory to your government, will relieve me from the necessity of recurring to circumstances which might tend to irritating discussions. In the confident expectation that, upon the arrival of your messenger at Madrid, his catholic majesty will give his immediate ratification to the treaty of the 22d February, 1819, I readily forbear all reference to the delays which have hitherto retarded that event, and all disquisition upon the perfect right which the United States have had to that ratification.

I am now instructed to repeat the assurance which has already been given you, that the representations which appear to have been made to your government of a system of hostility, in various parts of this union, against the Spanish dominions, and the property of Spanish subjects; of decisions marked with such hostility by any of the courts of the United States, and of the toleration, in any case of it, by this government, are unfounded. In the existing unfortunate civil war, between Spain and the South American provinces, the United States have constantly avowed, and faithfully maintained, an impartial neutrality. No violation of that neutrality, by any citizen of the United States, has ever received sanction or countenance from this government. Whenever the laws, previously enacted for the preservation of neutrality, have been found, by experience, in any manner defective, they have been strengthened by new provisions, and severe penalties. Spanish property, illegally captured, has been constantly restored by the decisions of the tribunals of the United States; nor has the life itself

been spared of individuals guilty of piracy, committed upon Spanish property on the high seas.

Should the treaty be ratified by Spain, and the ratification be accepted by, and with the advice and consent of the senate, the boundary line, recognized by it, will be respected by the United States, and due care will be taken to prevent any transgression of it—no new law or engagement will be necessary for that purpose. The existing laws are adequate to the suppression of such disorders and they will be, as they have been, faithfully carried into effect. The miserable disorderly movement of a number, not exceeding seventy, lawless individual stragglers, who never assembled within the jurisdiction of the United States, into a territory to which his catholic majesty has no acknowledged right, other than the yet unratified treaty, was so far from receiving countenance or support from the government of the United States, that every measure necessary, for its suppression, was promptly taken under their authority; and, from the misrepresentations which have been made of this very insignificant transaction to the Spanish government, there is reason to believe that the pretended expedition itself, as well as the gross exaggerations which have been used to swell its importance, proceed from the same sources, equally unfriendly to the United States and to Spain.

As a necessary consequence of the neutrality between Spain and the South American provinces, the United States can contract no engagement, not to form any relations with those provinces. This has explicitly and repeatedly been avowed and made known to your government, both at Madrid and this place. The demand was resisted both in conference and written correspondence, between Mr. Erving and Mr. Pizarro. Mr. Onís had long and constantly been informed, that a persistence in it would put an end to the possible conclusion of any treaty whatever. Your sovereign will perceive, that, as such an engagement cannot be contracted by the United States consistently with their obligations of neutrality, it cannot be justly required of them; nor have any of the European nations ever bound themselves to Spain by such an engagement.

With regard to your *proposals*, it is proper to observe, that his catholic majesty, in announcing his purpose of asking *explanations* of the United States, gave no intimation of an intention to require new articles to the treaty. You are aware that the United States cannot, consistently with what is due to themselves, stipulate new engagements as the price of obtaining the ratification of the old. The declaration, which Mr. Forsyth was instructed to deliver at the exchange of the ratifications of the treaty, with regard to the eighth article, was not intended to annul, or in the slightest degree to alter or impair the stipulations of that article; its only object was to guard your government, and all persons who might have had an interest in any of the annulled grants, against the possible expectation or pretence that those grants would be *made valid* by the treaty. All grants subsequent to the 24th January, 1818, were declared to be positively null and void; and Mr. Onís always declared, that he signed the treaty, fully *believing*, that the grants to the duke of Alagon, count Punon Rostro, and Mr. Vargas, were subsequent to that date. But he had, in his letter to me of 16th November, 1818, declared, that those grants were null and void, because the essential conditions of the grants had not been fulfilled by the grantees. It was distinctly understood by us both, that no grant of whatever date, should be made valid by the treaty, which would not have

been valid by the laws of Spain and the Indies, if the treaty had not been made. It was, therefore, stipulated, that grants, prior to the 24th January, 1818, should be confirmed, only "to the same extent that the same grants would be valid, if the territories had remained under the dominion of his catholic majesty." This, of course, excluded the three grants above mentioned, which Mr. Onís had declared invalid, for want of the fulfillment of their essential conditions, a fact which is now explicitly admitted by you. A single exception to the principle, that the treaty should give no confirmation to any imperfect title, was admitted; which exception was, that owners in *possession of lands*, who, by reason of the recent circumstances of the Spanish nation, and the revolutions in Europe, had been *prevented* from fulfilling *all* the conditions of their grants, should *complete* them within the terms limited in the same from the date of the treaty; this had obviously no reference to the above mentioned grants, the grantees of which were not in possession of the lands, who had fulfilled *none* of their conditions, and who had not been *prevented* from fulfilling any of them by the circumstances of Spain or the revolutions of Europe. The article was drawn up by me, and, before assenting to it, Mr. Onís inquired what was understood by me as the import of the terms "shall complete them." I told him, that, in connexion with the terms "all the conditions," they necessarily implied, that the indulgence would be limited to grantees who had performed *some* of the conditions, and who had commenced settlements, which it would allow them to complete.—These were precisely the cases for which Mr. Onís had urged the equity of making a provision, and he agreed to the article, fully understanding that it would be applicable only to them. When, after the signature of the treaty, there appeared to become reason for supposing that Mr. Onís had been mistaken in believing that the grants to the duke of Alagon, count Punon Rostro, and Mr. Vargas, were subsequent to the 24th of January, 1818, candor required that Spain and the grantees should never have a shadow of ground to expect or alledge that this circumstance was at all material, in relation to the bearing of the treaty upon those grants. Mr. Onís had not been mistaken in declaring that they were invalid, because their conditions were not fulfilled. He had not been mistaken in agreeing to the principle, that no grant, invalid as to Spain, should, by the treaty, be made valid against the United States. He had not been mistaken in the knowledge that those grantees had neither commenced settlements, nor been prevented from completing them by the circumstances of Spain, or the revolutions in Europe. The declaration which Mr. Forsyth was instructed to deliver, was merely to caution all whom it might concern not to infer, from an unimportant mistake of Mr. Onís as to the date of the grants, other important mistakes which he had not made, and which the United States would not permit to be made by any one. It was not, therefore, to annul or to alter, but to fulfil the eighth article as it stands, that the declaration was to be delivered; and it is for the same purpose that this explanation is now given. It was with much satisfaction, therefore, that I learned from you the determination of your government to assent to the total nullity of the above mentioned grants.

As I flatter myself that these explanations will remove every obstacle to the ratification of the treaty by his catholic majesty, it is much to be regretted that you have not that ratification to ex-

change, nor the power to give a pledge which would be equivalent to the ratification. The six months within which the exchange of the ratifications were stipulated by the treaty, having elapsed, by the principles of our constitution, whether it shall now be accepted, must be laid before the senate for their advice and consent. To give a last and signal proof of the earnest wish of this government, to bring to a conclusion these long standing and unhappy differences with Spain, the president will so far receive that solemn promise of immediate ratification, upon the arrival of your messenger at Madrid, which, in your note of the 19th ult. you declare yourself authorised, in the name of your sovereign, to give, as to submit to the senate of the United States, whether they will advise and consent to accept it, for the ratification of the United States heretofore given.

But, it is proper to apprise you, that if this offer is not accepted, the United States, besides being entitled to resume all the rights, claims, and pretensions, which they had renounced by the treaty, can no longer consent to relinquish their claims of indemnity, and those of their citizens, from Spain, for all the injuries which they have suffered and are suffering, by the delay of his catholic majesty to ratify the treaty. The amount of claims of the citizens of the United States, which existed at the time when the treaty was signed, far exceeded that which the United States consented to accept as indemnity. Their right of territory was, and yet is, to the Rio del Norte. I am instructed to declare, that, if any further delay to the ratification, by his catholic majesty, of the treaty, should occur, the United States could not hereafter accept, either of five millions of dollars, for the indemnities due to their citizens by Spain, nor of the Sabine for the boundary between the United States and the Spanish territories.

Please to accept the renewed assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

General don Francisco Dionisio Vives to the secretary of state.

[TRANSLATION.]

SIR: In answer to your note of the 3d instant, and in pursuance of what I expressed to you in both our late conferences, I have to state to you that I am satisfied upon the first point of the proposals contained in my note of the 14th ultimo; and am persuaded that, if the existing laws, enacted for the suppression of piracy, should prove inadequate, more effectual measures will be adopted by your government for the attainment of that important object.

I also admit, as satisfactory, the answer given to the second point, but I cannot assent to your assertion that the laws of this country have always been competent to the prevention of the excesses complained of; it being quite notorious that the expedition alluded to has not been the only one set on foot for the invasion of his majesty's dominions; and it is, therefore, not surprising that the king, my lord, should give credit to the information received in relation to that expedition, or that he should now require of your government a pledge that the integrity of the Spanish possessions in North America shall be respected.

I mentioned to you in conference, and I now repeat it, that the answer to the third point was not such as I could, agreeably to the nature of my instructions, accept as being satisfactory; and that, although his majesty might not have required of any

of the European governments the declaration which he has required of yours, yet that ought not to be considered as unreasonable; it being well known to the king, my master, that those governments, so far from being disposed to wish to recognize the insurgent governments of the Spanish colonies, had declined the invitation intimated to them some time past by yours, to acknowledge the pretended republic of Buenos Ayres. I, notwithstanding, renew to you the assurance that I will submit to his majesty the verbal discussion we have had upon this point, and accompany it with such additional arguments as will, in my judgment, probably determine his majesty to declare himself to be satisfied therewith.

In the event of the king's receiving, as satisfactory, the answer of your government to the third point of my proposals, the abrogation of the grants will be attended with no difficulty; nor has that ever been the chief motive for suspending the ratification of the treaty; for the thorough comprehension of which, I waive at present, any reply to the remarks which you are pleased to offer on that topic. I cannot, however, refrain from stating to you, that, in discussing with you the validity or the nullity of the grants abovementioned, I merely said "that, in my private opinion, they were null and void, through the *inability* of the grantees to comply with the terms of the law."

It is to me a matter of great regret, that I have it not in my power to repeat the solemn promise that his majesty will ratify the treaty; inasmuch as I cannot, agreeably to my instructions, accept as satisfactory the answer given to the third point of my proposals. I am, however, persuaded, that his majesty, upon consideration of the representation which I shall have the honor to lay before him, and of the reasons assigned by your government for withholding its assent to the third point, will consider himself as satisfied and ratify the treaty.

I further conceive it my duty to state to you that, at the time when I communicated to your government the substance of my present answer, I mentioned, speaking in my individual capacity, that, although I had no official information of it, yet I consider as authentic the current intelligence of an important change said to have taken place in the government of Spain; and that this circumstance alone would impose on me the obligation of giving no greater latitude to my promise, previous to my receiving new instructions.

I therefore hope that your government, upon consideration of what I have now submitted to you, and of the contents of my former notes, will agree to await the final decision of the king, my master, upon the only point still pending, and the adjustment of which is not within my competency; so that the past differences may be satisfactorily terminated and the treaty receive its final accomplishment; thereby securing and perpetuating a perfect harmony and good understanding between the two governments.

Be pleased to accept the assurances of my distinguished consideration. I pray God to preserve you many years.

FRANCISCO DIONISIO VIVES.

Washington, 5th May, 1820.

The secretary of state to general Vives.
General Vives, envoy extraordinary,
and minister plenipotentiary of Spain.

DEPARTMENT OF STATE,
Washington, 6th May, 1820.

SIR—In the letter which I have had the honor of receiving from you, dated yesterday, you observe

that you renew the assurance that you will submit to his majesty, *the verbal discussion we have had on the third point, concerning which you were instructed to ask for explanations.* I have to request of you to state specifically the representation which you propose to make to his majesty, of what passed between us in conference on this subject.

—I pray you to accept the renewed assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

General don Francisco Dionisio Vives to the secretary of state.

[TRANSLATION.]

SIR—I have received the note you were pleased to address to me of yesterday's date, and in answer thereto, I have to state, that the verbal discussion between us upon the third point of my proposals, is comprised in your note of the third, and in my reply of the fifth inst. and that, consequently, the statement of it which I shall transmit for his majesty's information will be in strict accordance with the tenor of the said notes.

I renew to you the assurance of my high esteem, and I pray God to preserve you many years.

FRANCISCO DIONISIO VIVES.

Washington, 7th May, 1820.

The secretary of state to general Don Francisco Dionisio Vives, envoy extraordinary and minister plenipotentiary of Spain

DEPARTMENT OF STATE,

Washington 8th May, 1820.

SIR—In the letter which I had the honor of writing you on the 3d instant, it was observed, that all reference would readily be waived to the delays which have retarded the ratification by his catholic majesty, of the treaty of the 22d February, 1819, and all disquisition upon the perfect right of the United States to that ratification; in the confident expectation that it would be immediately given upon the arrival of your messenger at Madrid, and subject to your compliance with the proposal offered you in the same note, as the last proof, which the president could give of his reliance upon the termination of the differences between the United States and Spain, by the ratification of the treaty.

This proposal was, that, upon which the explanations given you on all points noticed in your instructions, and with which you had admitted yourself to be personally satisfied, you should give the solemn promise, in the name of your sovereign, which by your note of the 19th ultimo, you had declared yourself authorised to pledge; that the ratification should be given immediately upon the arrival of your messenger at Madrid, which promise, the president consented so far to receive, as to submit the questions for the advice and consent of the senate of the United States, whether the ratification of Spain should, under these circumstances, be accepted in exchange for that of the United States heretofore given. But, the president has, with great regret, perceived, by your note of the 5th instant, that you decline giving even that unconditional promise, upon two allegations; one, that, although the explanations given you on one of the points mentioned in your note of the 14th ultimo, are satisfactory to yourself, and you hope and believe will prove so to your sovereign, they still were not such as you were authorised by your instructions to accept; and the other, that you are informed a great change has recently occurred in the government of Spain, which circumstance ALONE would prevent you from giving a further lati-

tude to your promise, previous to your receiving new instructions.

It becomes, therefore, indispensably necessary to shew the absolute obligation by which his catholic majesty was bound to ratify the treaty, within the term stipulated by one of its articles, that the reasons alleged for his withholding the ratification are altogether insufficient for the justification of that measure, and that the United States have suffered by it the violation of a perfect right, for which they are justly entitled to indemnity and satisfaction; a right further corroborated by the consideration that the refusal of ratification necessarily included the non-fulfilment of another compact between the parties which had been ratified—the convention of August, 1802.

While regretting the necessity of producing this proof, I willingly repeat the expression of my satisfaction at being relieved from that of enlarging upon other topics of an unpleasant character. I shall allude to none of those, upon which you have admitted the explanations given to be satisfactory, considering them as no longer subjects of discussion between us or our governments. I shall with pleasure forbear noticing any remarks in your notes concerning them, which might otherwise require animadversion.

With the view of *confining* this letter to the only point upon which further observation is necessary, it will be proper to state the present aspect of the relations between the contracting parties.

The treaty of 22d February, 1819, was signed after a succession of negotiations of nearly twenty years' duration, in which all the causes of difference between the two nations had been thoroughly discussed; and with a final admission on the part of Spain, that there were existing just claims on her government, at least to the amount of five millions of dollars, due to citizens of the United States, and for the payment of which provision was made by the treaty. It was signed by a minister, who had been several years residing in the United States, in constant and unremitting exertions to maintain the interests and pretensions of Spain involved in the negotiation.—Signed after producing a full power, by which, in terms as solemn and as sacred as the hand of a sovereign can subscribe, his catholic majesty had promised to approve, ratify, and fulfil, whatever should be stipulated and signed by him.

You will permit me to repeat, that, by every principle of natural right, and by the universal assent of civilized nations, nothing can release the honor of a sovereign from the obligation of a promise thus unqualified, without the proof that his minister has signed stipulations unwarranted by his instructions. The express authority of two of the two most eminent writers upon national law, to this point were cited in Mr. Forsyth's letter of 2d Oct. 1819, to the duke of San Fernando. The words of Vattel are "But, to refuse, with honor, to ratify that which has been concluded in virtue of a full power, the sovereign must have strong and solid reasons for it; and particularly he must show that his minister has transcended his instructions."* The words of Martens are: "Every thing that has been stipulated by an agent, in conformity to his

*"Mais pour refuser avec honneur de ratifier, ce qui a été conclue en vertu d'un plein pouvoir, il faut que le souverain en ait de fortes et solides raisons, et qu'il fasse voir en particulier, que son ministre s'est écarté de ses instructions."

Liv. 2. ch. 12. § 156.

full powers ought to become obligatory for the state, from the moment of signing, without ever waiting for the ratification. However, not to expose a state to the errors of a single person, it is now become a general maxim, that public conventions do not become obligatory, until ratified. The motive of this custom clearly proves that the ratification can never be refused with justice, except when he who is charged with the negotiation, keeping within the extent of his public full powers, has gone beyond his secret instructions, and consequently rendered himself liable to punishment; or when the other party refuses to ratify."† In your letter of the 24th ultimo, you observe that these positions have already been refuted by your government, which makes it necessary to enquire, as I, with great reluctance do, how they have been refuted?

The duke of San Fernando, in his reply to this letter of Mr. Forsyth, says, maintains, and repeats, "that the very authorities cited by Mr. Forsyth, literally declare, that the sovereign, for strong and solid reasons, or, if his minister has exceeded his instructions, may refuse his ratification. [Vattel, book 2 chap. 12.] and that public treaties are not obligatory until ratified" [Martens, book 2, chap. 3, see note.] In these citations, the duke of San Fernando has substituted for the connective term *and* in Vattel, which makes the proof of instructions transcended indispensable to justify the refusal of ratification, the disjunctive term *or*, which presents it as an alternative, and unnecessary, on the contingency of other existing strong and solid reasons. Vattel says the sovereign must have strong and solid reasons, *and particularly* must show that the minister transcended his instructions. The duke of San Fernando makes him say, the sovereign must have strong and solid reasons, *or if* his minister has exceeded his instructions. Vattel not only makes the breach of instructions indispensable, but puts upon the sovereign the obligation of proving it. The duke of San Fernando cites Vattel, not only as admitting that other reasons without a breach of instructions, may justify a refusal of ratification, but that the mere fact of such a breach would also justify the refusal, without requiring that the sovereign alledging should prove it.

Is this refutation?

The only observation that I shall permit myself upon it, is to mark how conclusive the authority of the passage in Vattel must have been to the mind of him, who thus transformed it to the purpose for which he was contending. The citation from Martens receives the same treatment. The duke of San Fernando takes by itself a part of a sentence, "that public treaties are not obligatory until ratified." He omits the preceeding sentence, by which Martens asserts, that a treaty, signed in conformity

† "Ce qui a été stipulé par un subalterne, en conformité de son plein pouvoir, devient à la rigueur obligatoire pour la nation du moment même de la signature sans que la ratification soit nécessaire. Cependant pour ne pas abandonner le sort des Etats aux erreurs d'un seul, il a été introduit par un usage généralement reconnu, que les conventions publiques ne deviennent obligatoires, que lors qu'elles ont été ratifiées. Le motif de cet usage indique assez qu'on ne peut y provoquer avec justice, que lorsque celui qui est chargé des affaires de l'état, en se tenant dans les bornes de son plein pouvoir public, a franchi celle, de son instruction secrète et que par conséquent il s'est rendu punissable."

Liv. 2. ch. 3. § 31.

to full powers, is in rigor obligatory from the moment of signature, without waiting for the ratification. He omits the part of the sentence cited which ascribes the necessity of a ratification to an usage founded upon the danger of exposing a state to the errors of its minister. He omits the following sentence which explicitly asserts that this usage can never be resorted to, in justification of a refusal to ratify, unless when the minister has exceeded his secret instructions; and thus, with this half of a sentence, stripped of all its qualifying context, the duke brings Martens to assert that, which he most explicitly denies.

Is this refutation?

While upon this subject, permit me to refer you to another passage of Vattel, which I the more readily cite, because, independent of its weight as authority, it places this obligation of sovereigns upon its immovable foundation of eternal justice in the law of nature. "It is shown by the law of nature, that he who has made a promise to any one, has conferred upon him the true right to require the thing promised; and that, consequently, not to keep a perfect promise, is to violate the right of another; and is as manifest injustice, as that of depriving a person of his property. All the tranquillity, the happiness, and security, of the human race, rests on justice; on the obligation of paying a regard to the rights of others. The respect of others for our rights of domain and property constitutes the security of our actual possessions. The faith of promises is our security for the things that cannot be delivered or executed on the spot. There would be no more security, no longer any commerce between mankind, did they not believe themselves obliged to preserve their faith and keep their word. This obligation is then as necessary, as it is natural and indubitable between the nations that live together in a state of nature, and acknowledge no superior upon earth, to maintain order and peace in their society. Nations and their conductors ought then to keep their promises and their treaties inviolable. This great truth, though too often neglected in practice, is generally acknowledged by all nations."

The melancholy allusion to the frequent practical neglect of this unquestionable principle, would

"On demontre en droit naturel, que celui qui promet a quelqu'un lui confere un veritable droit d'exiger la chose promise; et que par consequent, ne point garder une promesse parfaite, c'est violer le droit d'autrui, c'est une injustice, aussi manifeste, que celle de depouiller quelqu'un de son bien — Toute la tranquillite, le bonheur et la surete du genre humain reposent sur la justice, sur l'obligation de respecter les droits d'autrui. Le respect des autres pour nos droits de domaine et de propriete, fait la surete de nos possessions actuelles; la foi des promesses est notre garant pour les choses qui ne peuvent etre livrees ou executees sur le champ. Plus de surete, plus de commerce, entre les hommes s'ils ne se croient point obliges de garder la foi, de tenir leur parole. Cette obligation est donc aussi necessaire, qu'elle est naturelle et indubitable, entre les nations qui vivent ensemble dans l'etat de nature, et qui ne connaissent point de superieur sur la terre, pour maintenir l'ordre et la paix dans l'uersociete. Les nations et leurs conducteurs doivent donc garder inviolablement luer promesses, et luer traites. Cette grande verite quoique trop souvent negligee, dans la pratique, est generalement reconnue de toutes les nations."

Liv. 2. Ch. 12, § 163.

afford a sufficient supply to your assertion that the ratification of treaties has often been refused, though signed by ministers with unqualified full powers, and without breach of their instructions. No case can be cited by you in which such a refusal has been justly given; and the fact of refusal, separate from the justice of the case, amounts to no more than the assertion that sovereigns have often violated their engagements and their duties: the obligation of his catholic majesty to ratify the treaty signed by Mr. Onís is therefore complete.

The sixteenth and last article of this treaty is in the following words. "The present treaty *shall be ratified*, in due form, by the contracting parties, and the ratifications shall be exchanged in six months from this time, *or sooner, if possible.*" On the faith of his catholic majesty's promise, the treaty was, immediately after its signature, ratified, on the part of the United States, and, on the 18th of May, following, Mr. Forsyth, by an official note, informed the marquis of Casa Yrujo, then minister of foreign affairs, at Madrid, that the treaty, duly ratified by the United States, had been entrusted to him by the president, and that he was prepared to exchange it for the ratification of Spain. He added that, from the nature of the engagement, it was desirable that the earliest exchange should be made, and that the American ship of war *Hornet* was waiting in the harbor of Cadiz, destined, in a few days, to the United States, and affording an opportunity, peculiarly convenient, of transmitting the ratified treaty to the United States.

No answer having been returned to this note, on the 4th of June, Mr. Forsyth addressed, to the same minister, a second; urging, in the most respectful terms, the necessity of the departure of the *Hornet*, the just expectation of the United States that the ratified treaty would be transmitted by that vessel, and the disappointment which could not fail to ensue should she return without it.

After fifteen days of further delay, on the 19th of June, Mr. Forsyth was informed, by a note from Mr. Salmon, successor to the marquis of Casa Yrujo, that "his majesty, on reflecting on the great importance and interest of the treaty in question, was under the indispensable necessity of *examining* it with the greatest caution and deliberation before he proceeded to ratify it, and that this was *all* he was enabled to communicate to Mr. Forsyth on that point."

Thus, after the lapse of more than a month from the time of Mr. Forsyth's first note, and of more than two months from the time when your government had received the treaty, with knowledge that it had been ratified by the United States, the ratification of a treaty which his catholic majesty had solemnly promised, so that it might be exchanged within six months from the date of its signature, *or sooner, if possible*, was withheld merely to give time to his catholic majesty to *examine* it; and this treaty was the result of a twenty year's negotiation in which every article and subject contained in it had been debated and sifted to the utmost satiety between the parties, both at Washington and Madrid—a treaty, in which the stipulations, by the Spanish minister, had been sanctioned by successive references, of every point, to his own government, and were, by the formal admission of your own note, fully within the compass of his instructions.

If, under the feeling of such a procedure on the part of the Spanish government, the minister of the United States appealed to the just rights of his country in expressions suited more to the sense of

its wrongs, than to the courtesies of European diplomacy; nothing had till then occurred which could have restrained your government from asking of him any explanation which could be necessary for fixing its determination upon the ratification: no explanation was asked of him.

Nearly two months afterwards, on the 10th of August, Mr. Forsyth was informed, that the king would not come to a final decision upon the ratification without previously entering into several *explanations* with the government of the U. States, to some of which that government had given rise, and that his majesty had charged a person, possessed of his full confidence, who would *forthwith* make known to the United States his majesty's intentions. Mr. Forsyth offered himself to give every explanation which could be justly required; but your government declined receiving them from him, assigning to him the shortness of the time; a reason altogether different from that which you now allege, of the disrespectful character of his communications.

From the 10th of August till the 14th of the last month, a period of more than eight months passed over, during which no information was given by your government of the nature of the explanations which would be required. The government of the United States, by a forbearance perhaps unexampled in human history, has patiently waited for your arrival, always ready to give, in candor and sincerity, every explanation that could, with any propriety, be demanded. What then, must have been the sentiments of the president, upon finding, by your note of the 14th ultimo, that, instead of *explanations*, his catholic majesty has instructed you to demand the negotiation of another treaty, and to call upon the United States for stipulations derogatory to their honor, and incompatible with their duties as an independent nation? What must be the feelings of this nation to learn that, when called upon to state whether you were the bearer of his catholic majesty's ratification of the treaty, to be exchanged upon the explanations demanded being given, you explicitly answered, that you were *not*? and, when required to say whether you are authorized, as a substitute for the ratification, to give the pledge of immediate possession of the territory, from which the acknowledged just claims of the citizens of the United States were stipulated to be indemnified, you still answer that you are *not*; but refer us back to a solemn promise of the king, already pledged before in the full power to your predecessor, and to a ratification *as soon as possible* already stipulated in vain by the treaty which he, in full conformity to his instructions, had signed?

The ratification of that treaty can now no longer be accepted by this government, without the concurrence of a constitutional majority of the senate of the United States, to whom it must be again referred. Yet even this promise you were, by my letter of the 3d instant, informed that, rather than abandon the last hope of obtaining the fulfilment of his catholic majesty's promise already given, the president would, so far as was constitutionally within his power, yet accept.

The assurances which you had given me, in the first personal conference between us, of your entire satisfaction with the explanations given you upon *all* the points on which you had been instructed to ask them, would naturally have led to the expectation that the promise which you were authorized to give would, at least, not be withheld. From your letter of the 5th instant, however, it appears that no discretion has been left you, to pledge even his

majesty's promise of ratification, in the event of your being yourself satisfied with the explanations upon all the points desired. That the only promise you can give is *conditional*, and the condition a point upon which your government, when they prescribed it, could not but know it was *impossible* that the United States should comply—a condition incompatible with their independence, their neutrality, their justice, and their honor.

It was, also, a condition which his catholic majesty had not the shadow of a right to prescribe. The treaty had been signed by Mr. Onís, with a full knowledge that no such engagement as that contemplated by it would ever be acceded to by the American government, and after long and unwearied efforts to obtain it. The differences between the United States and Spain had no connection with the war between Spain and South America. The object of the treaty was to settle the boundaries, and adjust and provide for the claims between your nation and ours; and Spain, at no time, could have a right to require that any stipulation concerning the contest between her and her colonies should be connected with it. As his catholic majesty could not justly require it, during the negotiation of that treaty, still less could it afford a justification for withholding his promised ratification after it was concluded.

The proposal which, at a prior period, had been made by the government of the United States to some of the principal powers of Europe, for a recognition, in concert, of the independence of Buenos Ayres, was founded, as I have observed to you, upon an opinion then and still entertained, that this recognition must, and would, at no very remote period, be made by Spain herself; that the joint acknowledgment by several of the principal powers of the world, at the same time, might probably induce Spain the sooner to accede to that necessity, in which she must ultimately acquiesce, and would thereby hasten an event propitious to her own interests, by terminating a struggle in which she is wasting her strength and resources without a possibility of success; an event ardently to be desired by every friend of humanity, afflicted by the continual horrors of a war, cruel and sanguinary almost beyond example; an event, not only desirable to the unhappy people who are suffering the complicated distresses and calamities of this war, but to all the nations having relations of amity and of commerce with them. This proposal, founded upon such motives, far from giving to Spain the right to claim of the United States an engagement not to recognise the South American governments, ought to have been considered by Spain as a proof at once of the moderation and discretion of the United States; as evidence of their disposition to discard all selfish or exclusive views in the adoption of a measure which they deemed wise and just in itself, but most likely to prove efficacious by a common adoption of it, in a spirit entirely pacific, in concert with other nations, rather than by a precipitate resort to it, on the part of the United States, alone.

The conditional promise, therefore, now offered by you, instead of the positive one which you have declared yourself authorised to give, cannot be accepted by the president; and I am constrained to observe that he can consider the procedure of your government in thus providing you with powers and instructions utterly inefficient for the conclusion of the negotiation with which you are charged, in no other light than as proceeding from a determination, on its part, still to protract and baffle its

final successful issue. Under these circumstances, he deems it his duty to submit the correspondence which has passed between us, since your arrival, to the consideration of the congress of the United States, to whom it will belong to decide how far the United States can yet, consistently with their duties to themselves, and the rights of their citizens, authorise the further delay requested in your note of the 5th instant.

In the conclusion of that note, you have remarked, alluding to a great change which appears to have taken place, since your departure from Madrid, in the government of Spain, that this circumstance alone would impose on you the obligation of giving no greater latitude to your promise previous to your receiving new instructions. If I have understood you right, your intention is to remark, that this circumstance alone would restrain you, in any event, from giving, without new instructions, the unconditional promise of ratification, which, in a former note, you had declared yourself authorised, in the name of your sovereign, to give. This seems to be equivalent to a declaration, that you consider your powers themselves, in the extent to which they were entrusted to you, as suspended by the events to which you thus refer. If I am mistaken in taking this as your meaning, will you have the goodness to inform me how far you do consider your powers affected by the present state of your information from Spain?

Please to accept the assurance of my distinguished consideration,
JOHN QUINCY ADAMS.

Mr. Gallatin to the secretary of state.

PARIS, February 15, 1820.

Sir—General Vives, the new minister of Spain to the United States, arrived at Paris on the 11th instant, and left it on the 14th for London, with the intention to embark at Liverpool in the New York packet, which will sail on the 1st day of March.

Mr. Pasquier, after having seen him, invited me to an interview on the 12th, and said that he was in hope that the differences might still be adjusted. General Vives had told him that the principal points with Spain were, that the honor of the crown should be saved (this a covert) in the business of the grants, and to receive satisfactory evidence of our intention to preserve a fair neutrality in the colonial war. Mr. Pasquier had observed to him that it would be a matter of deep regret that private interest should prevent the conclusion of such an important arrangement, and that, when it was said, that there had been at least a misunderstanding on the subject, the king's dignity could not be injured by a renunciation of the grants, or by an exchange for other lands. He seemed to think that this would be arranged, and asked me what I thought we could do respecting the other point. I answered that the fullest reliance might be placed on the fairness of our neutrality, and that I was really at a loss to know what could be added to the measures the United States had already adopted to enforce it. Mr. Pasquier gave me to understand that, if there was any defect, however trifling, in our laws, and that was amended, it would probably be sufficient to satisfy the pride of Spain, as there now appeared a real desire to ratify, provided it could be done without betraying a glaring inconsistency. He had expressed to General Vives his opinion of the imprudence of asking from the United States any promise not to recognize the independence of the insurgent colonies, and had told him that, on that subject, Spain could only rely on the moral effect which a solemn treaty, accommodating all her differences with the United States, would have on their future proceedings.

I expressed my hope that the explanations which General Vives was instructed to give on the subject of the grants, and to ask on that of our neutrality, might be such as to remove all the existing difficulties. But it was most important that he should arrive in the United States before the adjournment of congress, and that he should be the bearer of the king's ratification of the treaty, so that, if every thing was arranged, those ratifications might be exchanged at Washington. If that was not done, the president would have no more security that the king would ratify General Vives' than Mr. Onís' acts; and it was impossible to suppose that he would run the risk of a second disappointment. This observation forcibly struck Mr. Pasquier, who said that he would make further inquiries on that point.

I saw the same evening the Spanish ambassador at this court, and, in the course of a short conversation, he suggested that the grants in dispute might be set aside, the grantee not having fulfilled certain conditions or formalities; and, after acknowledging that General Vives was not the bearer of the king's ratification, he hinted that he was authorized to give the United States satisfactory security that Spain would fulfil her engagements.

On the 13th I dined at the minister of foreign affairs with General Vives, who repeated to me in substance what he had said to

Mr. Pasquier. I told him that the president would judge of the explanations he had to give on the subject of the grants; that he might rely on the determination of the United States to preserve their neutrality, and not less on the manner in which the laws for enforcing it were executed, than on the tenor of those laws, which, I observed, were, and had always been, more full and efficient than those of either England or France on the same subject; that I could not say whether the question of recognizing the independence of the insurgent colonies would be agitated during the present session of congress, but that, if it was, the decision would probably have taken place before his arrival.

I then repeated what I had said to Mr. Pasquier, respecting the importance of his being authorized to exchange the ratifications of the treaty. He answered, that, although he was not, he could, in case of an arrangement, give satisfactory security to the United States, and that it would consist in consenting that they should take immediate possession of Florida, without waiting for the ratification of the treaty.

General Vives repeated, in the course of the evening, the same thing to Mr. Pasquier, with whom I had attended a short conversation on the subject. He seemed extremely astonished, that the Spanish government should have adopted that course rather than to authorize their minister to exchange, at once, the ratifications. Since, however, the measure they proposed coincided with the views of the president, as stated in his message, and would, at all events, prevent a rupture, we both agreed that no time should be lost in communicating to you general Vives' declarations. I have the honor to be, &c. ALBERT GALLATIN.

Extract of a letter from Mr. Rush to the secretary of state, dated

LONDON, February 25, 1820.

"General Vives, despatched by the king of Spain on a mission to the United States, is now here on his transit to our country. I have not been able to command the opportunity of an interview with him. It may be more acceptable to the government to hear what Lord Castlereagh told me, who has seen him. This was, that he did not fail to say to him every thing of a halting nature, as between the United States and Spain. His lordship added, that he still looked to an accommodation of all the differences with the same wishes as formerly. General Vives, it seems, mentioned to him that he was not without a hope of producing a conviction, on his arrival at Washington, that, as respects the grants of land, about which such difficulties had arisen under the treaty, Mr. Oniz had gone too far in his admissions; farther than facts would be found to warrant. I replied, that my government would listen to what he had to advance on this topic. His lordship said no more. The general embarks from Liverpool, for New York, on the first of next month. He will probably be in the ship that takes home his despatch."

The following message and documents were transmitted by the president of the United States to both houses of congress, on the 12th inst.

To the senate and house of representatives of the United States. I communicate to congress, translations of letters from the minister of Spain to the secretary of state, received since my message of the 9th instant. JAMES MONROE.

Washington, 12th May, 1820.

General Vives to the secretary of state.

[Translation.]

Sir: In answer to your note of yesterday's date, I have, in the first place, to give you the explanation requested of me, of the import of my last proposal, and in doing so, to repeat, in other words, that I am authorized solemnly to promise to this government the ratification of the treaty by his majesty, only in case the third point of my proposals be satisfactorily but, as the answer given to this point has not been such as I could, agreeably to my instructions, receive as satisfactory, I can by no means commit myself by giving a greater extension to my promise, than that expressed in my note.

My object in intimating to you that, although I knew nothing officially, yet I considered as authentic the information circulating of an important change in the government of Spain, a circumstance which would, of itself, effectually prevent me from giving greater latitude to my promise, was to apprise your government that as, by the adoption of the constitution of 1812, in Spain, the powers of the king would be limited, it would no longer depend on his majesty alone to fulfil my solemn promise. Admitting that my instructions had empowered me to give such a promise; so that my sole motive for offering a remark, upon that topic, was to strengthen the grounds on which my proposal was founded; and, further, to enable your government so to appreciate, as no longer to decline assenting to it.

I shall, on this occasion, waive all reply to the arguments again advanced by you, in extenuation upon the question of his majesty's obligation to ratify the treaty, and confine myself to a single remark; namely, that all the authorities cited by you lay down the peace and happiness of mankind in general, and of states and their people in particular, as a fundamental principle. And having, in my first note, shown the notoriously hostile disposition prevailing throughout the union towards the interests of the Spanish monarchy, it necessarily follows that, when the objects of treaties are not obtained, the ratification of that of 22d February, 1819, would, in like manner, become illusory; and, therefore, that his majesty's motives for suspending it, were founded upon a competent view of evident facts.

I shall also leave it to the general sense of the reflecting part of mankind to decide, whether the reasoning you rely upon, in stating the

motives of the American government for proposing to other powers to acknowledge the revolt of provinces of Spanish America, and in exhibiting them as favorable, not only to suffering humanity, but to the interests of Spain herself, be not, in the highest degree, specious; for, if such maxims were to be adopted, nations could no longer count upon the integrity of their possessions, or upon the maintenance of that mutual amity and good understanding which it is equally their duty and their interest to cultivate in their relations with each other.

I have the honor to offer you anew the assurances of my distinguished consideration; and I pray God long to preserve you.

FRANCISCO DIONISIO VIVES.

Washington, 9th May, 1820.

General don Francisco Dionisio Vives to the secretary of state.

[Translation.]

Sir: In conformity with the orders I have this moment received from my government, I have the honor to inform you, that his catholic majesty hath sworn to the political constitution of the Spanish monarchy, as sanctioned by the extraordinary cortes in 1812, and to enclose a printed copy of his majesty's manifesto to the nation—for the purpose of giving the president a just view of the noble and generous sentiments which actuate the august mind of the king.

Please to accept the renewed assurances of my perfect consideration, and my wish that God may preserve you many years.

FRANCISCO DIONISIO VIVES.

Washington, 10th May, 1820.

[Here follows the proclamation, published in the present volume of the Register, page 176.]

General don Francisco Dionisio Vives to the secretary of state.

[Translation.]

Sir: Among the documents transmitted with the president's message to both houses of congress, and published in this day's National Intelligencer, I have seen, with surprise, the letter of Mr. Gallatin, stating, that I positively told him that "I could, in case of arrangement, give satisfactory security to the United States, and that it would consist in consenting that they should take immediate possession of Florida, without waiting for the ratification of the treaty." Although I have, with all frankness provided, in my correspondence with you, that I had no such authority, and that it will not, under any view which may be taken, appear presumable, that I made so doubtful, so useless, and inconsiderate a disclosure, I request, however, that you will be pleased to communicate this to the president, in order that, by giving publicity to this document, it may be understood that I made no such proposal, either to Mr. Gallatin or to Baron Pasquier.

I renew to you, sir, the assurances of my respect and distinguished consideration; and I pray God to preserve you many years.

FRANCISCO DIONISIO VIVES.

Washington, 11th May, 1820.

Foreign Articles.

London dates of April 10.

Great Britain and Ireland. The elections are generally over—457 of the old members have been re-elected, 122 new ones, and 79 yet remained to be chosen—whole number 658. The duke of Wellington has returned to England. The king has recovered his health, and it is said that he will be crowned in August. Cobbett has lost the election at Coventry, and was driven out of the city by a mob. Hunt has been bound over to keep the peace for six months. Major Cartwright was about to be tried on charges similar to those preferred against Hunt! Great preparations were making for the trial of Thistlewood and his associates.

The disturbances in Ireland are said to be subsiding—but there are alarming accounts from Scotland. The papers are filled with details. An address has been issued at Glasgow, and widely circulated, calling upon the people of England, Ireland and Scotland, to come forward instantly and "effect, by force, if resisted, a revolution in the government." This address professes to be subscribed by order of the committee of organization for forming a provisional government. The people were also wanted to strike off work on the 1st of April, and generally did so, at Glasgow, Paisley, and the neighborhoods. It was estimated that 60,000 men were roaming through the street at Glasgow, or quartered in the surrounding villages, at one time. All sorts of business was stopped. Some of the people were armed with pikes, others were seeking for muskets, and seizing them without the least ceremony, and they were drilled in open day. Dis-

ferent parties of them had attacked several houses, and some of them had been killed in different affrays with the troops. The military were pouring in from Edinburg, Piershill and Sterling Castle at the latest dates, and it was supposed that a stop would soon be put to the "dreadful proceedings" of the people. Eleven of the "committee of the provisional government," are said to have been arrested.

In England too, disorder has broken out a-fresh. At Manchester, Leeds, Huddersfield, &c. great confusion existed. Parties of the people were armed with pikes. A general rising appears to have been concerted. It was to begin at Huddersfield and Leeds. At the former the [mail] coaches were to have been stopped, and the town pillaged. This was to be the signal for a common effort in all the manufacturing districts—but the plan appears to have been defeated for the moment.

If, in either England, Ireland or Scotland, a few men of talents, who possessed the confidence of the people, and were endowed with courage and skill to direct their motions, were to come forward, the materials for revolution would be super-abundant in a very short time.

France. Here the seeds of revolution are deeply planted. The public mind is greatly excited. The late arbitrary laws for restricting the press and against personal liberty, are exceedingly unpopular. The latter is, essentially, a revival of the *lettres de cachet*. Public subscriptions are making for the "relief of the victims of arbitrary power"—one of them is headed by La Fayette, and other distinguished persons. The king had been ill, and it seems to be felt that the existence of the government depends upon the life of this poor old man.

Spain. Though the constitution has been proclaimed, the government does not appear to be settled. It is very possible that the intrigues of a stupid and knavish king and his satellites on one hand, to regain lost power, and the jealousy and zeal of those whom he dungeoned or banished for their liberal opinions, on the other—may together work a total change in the dynasty, if not an abolition of the monarchy. Something of this sort is going on, for it is said that Mina has intercepted some despatches from Madrid, so very important, that he will only exhibit or deliver them to the cortes, who, by a royal ordinance, are to assemble on the 9th of July.

There has been a complete turning out of Ferdinand's officers. The junta demanded the dismissal of all who were of the 70 who petitioned for the overthrow of the cortes, on the return of the king. All the prefects and other officers originally appointed by the cortes, have been "restored," so far as they are living and in Spain. So has the secretariat of the cortes, with all its seals, papers, &c. among which is the original copy of the constitution. Madrid, so lately gloomed by the inquisition, is deluged with pamphlets and gazettes, printed freely. The journal of Valencia has taken for its motto, "*God watches yet over Israel.*" A late letter from Madrid says—"A club of *liberales* is openly organized in Madrid; it exercises its influence over the provisional junta; it is a faithful portrait of your Breton club, of 1789. Various members of the junta go to this association to receive their instructions. Terror is general. The liberty of the press is the exclusive right of a party; woe to him who should use it to publish reflections on what is passing! 'THE REVOLUTION OF DEATH;' this is the order of the day. *We are not without fears for the lives of the most august personages.*"

The junta has decreed the confiscation of all the property of the inquisition—it appears that that accursed tribunal, at the very moment when the revolution broke out, had prepared a decree which the king was to have issued, that would have surpassed any of the tyrannies of modern times, and held out a prospect of again roasting men and women alive—"for the good of the church." But the wretches were cut short in their career. We only regret that a few of their racks and wheels and dungeons were not reserved for themselves. It is reported that some parts of Spain are nearly in insurrection in favor of Ferdinand. It may be well, if this is the case—for then, to a certainty, he, his priests and friends, will undoubtedly be cast out. The word *national* is in most cases substituted for the former phrase *royal*. This is good.

The massacre at Cadiz is still unexplained—but it appears as if a determination existed to do justice to the murderers.

The cortes will consist of 149 members—of whom thirty will be chosen from the Americans residing in Spain.

Portugal. It would appear that the revolution in Spain has revived the sluggish Portuguese, and that many of them begin to think and reason!—and a general insurrection appears to be expected from the movements of the people in the interior. *Let it be so*. A confederation with Spain is spoken of. It is added that distinguished persons have been designated to make the proposition to the cortes. A Paris paper says, that the English are often insulted in Portugal, "and advised to relieve the country of their presence."

In Italy, also, an explosion is looked for. Some steps towards it seem to have been taken at Milan and other places. It is said that "the revolutionists demand for their king the archduke Regnier, with a constitutional government."

A revolt in Prussia is likewise spoken of. A constitution was solemnly promised in time of need by the king, but has been evaded or refused when his danger was over. It is stated that some of the superior officers had reminded the king of his promises, for which they had been broken; but that the troops were loudly calling for them to be reinstated.

Germany, generally remains uneasy and unsettled. Plots and conspiracies are the common topics of the day.

If these things are all true, the "*holy alliance*" will have enough to do to keep Europe in chains.

State of the press. A Paris paper says—The Danish press cannot treat of politics nor give news without special permission. In Belgium many editors have been arrested. It appears that, from the Baltic to the Pyrenees, there is an "*holy alliance*" against the press.

The plague rages severely at Morocco. At the latest accounts from 2 to 300 died daily of it in that city.

CHRONICLE.

The widow of John Heaps, the mail driver, recently murdered near Baltimore, has been relieved by an act of congress in the sum of \$500, to be paid to her in ten semi-annual payments.

Mr. Clay, speaker of the house of representatives, has retired from a new election to congress; and it seems, will also retire from his present seat.

James Johnson, esq. a member of congress from Virginia, has been appointed, by the president, with the consent of the senate, to be collector for

the port of Norfolk, in Virginia, vice Charles K. Mallory, deceased.

The New York Mercantile Advertiser states, that *Lynde Catlin*, esq. has resigned his situation as cashier of the U. S. branch bank in that city.

M. Gaspare Deabbate, consul general of the king of *Sardinia*, to reside in the United States, has just arrived in Washington city.

Don Manuel Torres has arrived at Washington, as minister from the new republic of *Columbia*.

Marshal Grouchy is about to return to France. He has engaged a passage from N. York for Havre.

At *Fort Crawford*, on the Mississippi, about 260 miles above the mouth of the Missouri, two soldiers of the garrison there, were shot a short distance from the fort and scalped by the *Winebagocs*.

The "*Massachusetts*." The ship of the line building at Charlestown, in commendation of which the highest praise is lavished, it is said, is to be called the *Massachusetts*. She is in considerable forwardness.

The *Constitution* frigate, old *Ironsides*, is undergoing a thorough repair. It is said that she well deserves the cognomen, for that her lower timbers are as hard as iron—being of live oak.

The *Congress* frigate, at Linton island, 50 miles below Canton, was very closely watched by the Chinese, and all visits to and from her were strictly regulated. It is thus that this jealous people always treat foreign vessels of war; permitting none of them to enter their harbors.

Counterfeits. Two brokers in Petersburg, Va. are said to have received nearly four thousand dollars of spurious Georgia bank bills—which the "Intelligence" of that place says appear to have been from the genuine plate!

Western banks. The specie paying banks of Ohio, are, *Chillicothe*, *Lancaster*, *Marietta*, *Belmont*, *Mount Pleasant*, *Western Reserve*, and two banks at *Steubenville*. The notes of the rest are generally at 70 to 75 per cent. dis. Some of the bank of *Columbus* have been sold at that rate, in the town of *Columbus*. The new banks of *Kentucky* have chiefly gone by the board, the bills of the old bank, are hardly disposed of at *Baltimore* at 20 per cent. dis. The same or a higher discount, is required on those of *Tennessee*, *Mississippi* and *Alabama*. *Pennsylvania* bills, of banks west of the mountains, are generally very bad, except those of *Pittsburg*—varying from 15 to 55 per cent. dis. but happily, "scarce." Though some of these banks are undoubtedly solvent, the multitude of paper which was sent forth by some of them, has impaired the credit of others, and severely checked the utility of the well established and prudently conducted institutions, in the western and south western parts of the United States.

Some of the banks in the eastern and many in the middle states are winding up their concerns. There are five or six in *Maryland*, for instance, whose notes are rarely met with, and are not even the money of their respective neighborhoods. Those of the *City bank* of *Baltimore* have no currency, though convertible into "bank money" at about two per cent. and will be ultimately paid.

Fire in the woods. The woods in the vicinity of *Watertown* and *Sackett's Harbor* were on fire about the 10th inst. The people of the adjacent counties, together with the officers, soldiers and sailors at the Harbor, were turned out to stop the progress of the flames. The road usually travelled was impassable. An extensive fire also prevailed for several

days in the woodlands between *Westport* and *Berkley*, *Massachusetts*, and destroyed many houses, &c &c

Horticultural.—Early potatoes were exhibited on the 2d instant, at *Montreal*, and on the 3d, cucumbers were cut in the garden of Mr. John Howley, near *Kingston*, Upper Canada. Neither of these vegetables, we believe, have yet been produced at the New York markets

CAPITOL OF THE UNITED STATES.

Dimensions of the capitol, &c.

Principal building,	350 by 120	42,000 ft.
East projection and steps,	170 by 65	11,050
West projection,	170 by 83	14,110
		67,160

Capitol ground, with iron paling.

		acres.	ft.
East of side entrance,	750 by 700	12	3,000
Yard to the curve line,	750 by 200	3	19,590
Semicircular area to the west,	750 by 375	4	36,973
			59,437

59,437 feet are 1 5,937

Whole contents are 20 5,937

[Wash. Gaz.]

HEAD-QUARTERS, NORTHERN DIVISION.

Adj. gen's office, *Brownsville*, April 22, 1820.

DIVISION ORDERS.—In reverting to his late tour of review and inspection, to some of the posts on the Atlantic border of his command, and to the post of *Sackett's Harbor*, in his immediate vicinity, the major general of division cannot forbear expressing the satisfaction he has experienced in observing the excellent condition of the troops which garrison them.

The companies of artillery at forts *Washington*, *McHenry*, and *Mifflin*, were in a very respectable state of discipline; and the police of the posts which they occupy was such as to do them credit.

The fine martial appearance of the battalion in the harbor of New York, under the direction of *lieut. col. House*, claims a higher award of commendation for him, and the officers who compose his command. It is justified most particularly by the accuracy which they displayed in performing the evolutions of the drill; but no inconsiderable degree of merit is contained in the general aspect of improvement in police, which the post exhibited.

The major general feels, with sincere gratification, that the seeds of excellence are sown, and he is satisfied that time, aided by the same spirit of devotion which has effected these changes, will soon ripen into perfection the high character which they promise.

To major *Cutler*, whose command he reviewed yesterday, and to his officers, great credit is due for the fine state of discipline in which he found the troops, and for the order and excellent police which reign throughout the cantonment. The latter it would be difficult to improve; and he was gratified to see this command, at the close of a rigorous winter, during which military exercise is necessarily intermitted, sustaining its accustomed reputation.

By command of major general Brown.

R. JONES,

Adj. gen. N. division.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 13—VOL. VI.] BALTIMORE, MAY 27, 1820. [No. 13—VOL. XVIII. WHOLE No. 455

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ Much of the present sheet is appropriated to the purpose of "bringing up lee-way;" though not destitute of articles of interest.

☞ We have on hand another account of the "silver mine in Ohio," which, at least, as a detail of the process of boring for salt water, is very interesting, and shall have a place in our next, if the room can be spared.

The tariff bill, &c. We have received a draft of Mr. Baldwin's able speech in the house of representatives, on introducing the bill from the committee of manufactures, for regulating the tariff, and shall publish it in our next. We also expect to obtain sketches of those which he delivered in support of thea action bill, and that intended to provide for the prompt payment of duties on goods imported, and shall speedily insert them—that the people, in general, may have a full view of the principles on which the committee acted in reporting those important bills; and it will also come within our plan to publish some of the speeches in opposition. As preparatory to these matters, we have inserted in this sheet the non importation agreement of the old congress in 1774—a venerable state paper, as worthy of consideration now as it was when first issued.

In Congress—1774.

To obtain a redress of these grievances, which threaten destruction to the lives, liberty and property of his majesty's subjects, in North America, we are of opinion, that a non-importation, non-consumption, and non-exportation agreement, faithfully adhered to, will prove the most speedy, effectual and peaceable measure: And, therefore, we do, for ourselves and the inhabitants of the several colonies, whom we represent, firmly agree and associate, under the sacred ties of virtue, honor and love of our country, as follows:

First, That, from and after the first day of Dec. next, we will not import, into British America, from Great Britain or Ireland, any goods, wares or merchandise whatsoever, or from any other place, any such goods, wares or merchandise, as shall have been exported from Great Britain or Ireland; nor will we, after that day, import any East India tea from any part of the world; nor any molasses, syrups, panes, coffee, or pimento, from the British plantations, or from Dominica; nor wines from Madeira, or the Western Islands; nor foreign indigo.

Second, We will neither import nor purchase, any slave imported after the first day of Dec. next; after which time, we will wholly discontinue the slave trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our commodities or manufactures to those who are concerned in it.

Third, As a non-consumption agreement, strictly adhered to, will be an effectual security for the observation of the non-importation, we, as above, solemnly agree and associate, that, from this day, we will not purchase or use any tea, imported on account of the East India company, or any on which a

duty hath been or shall be paid; and from after the first day of March next, we will not purchase or use any East India tea whatever; nor will we, nor shall any person for or under us, purchase or use any of those goods, wares or merchandise we have agreed not to import, which we shall know, or have cause to suspect, were imported after the first day of December, except such as come under the rules and directions of the tenth article hereafter mentioned.

Fourth, The earnest desire we have not to injure our fellow subjects in Great Britain, Ireland, or the West Indies, induces us to suspend a non-exportation, until the tenth day of September, 1775; at which time, if the said acts and parts of acts of the British parliament, hereinafter mentioned, are not repealed, we will not, directly or indirectly, export any merchandise or commodity whatsoever to Great Britain, Ireland, or the West Indies, except rice to Europe.

Fifth, Such as are merchants, and use the British and Irish trade, will give orders, as soon as possible, to their factors, agents and correspondents, in Great Britain and Ireland, not to ship any goods to them, on any pretence whatsoever, as they cannot be received in America; and if any merchant, residing in Great Britain or Ireland, shall, directly or indirectly, ship any goods, wares or merchandise, for America, in order to break the said non-importation agreement, or in any manner contravene the same, on such unworthy conduct being well attested, it ought to be made public; and, on the same being so done, we will not, from thenceforth, have any commercial connexion with such merchant.

Sixth, That such as are owners of vessels, will give positive orders to their captains, or masters, not to receive on board their vessels any goods prohibited by the said non-importation agreement, on pain of immediate dismission from their service.

Seventh, We will use our utmost endeavors to improve the breed of sheep, and increase their number to the greatest extent; and, to that end, we will kill them as seldom as may be, especially those of the most profitable kind; nor will we export any to the West Indies or elsewhere; and those of us who are, or may become, overstocked with, or can conveniently spare any sheep, will dispose of them to our neighbors, especially to the poorer sort, on moderate terms.

Eighth, We will, in our several stations, encourage frugality, economy and industry, and promote the agriculture, arts and manufactures of this country, especially that of wool; and will discountenance and discourage every species of extravagance and dissipation, especially all horse-racing, and all kinds of gaming, cock-fighting, exhibitions of shews, plays and other expensive diversions and entertainments—and on the death of any relation or friend, none of us, or any of our families, will go into any further mourning dress, than a black crape or ribbon on the arm or hat, for gentlemen, and a black ribbon and necklace for ladies; and we will discontinue the giving of gloves and scarves at funerals.

Ninth, Such as are venders of goods and merchandise, will not take advantage of the scarcity of goods that may be occasioned by this association, but will sell the same at the rates we have been

accustomed to do, for twelve months last past. And if any vender of goods or merchandise shall sell any such goods on higher terms, or shall, in any manner, or by any device whatsoever, violate or depart from this agreement, no person ought, nor will any of us deal with any such person, or his or her factor or agent, at any time thereafter, for any commodity whatever.

Tenth, In case any merchant, trader, or other person, shall import any goods or merchandise, after the first day of December, and before the first day of February next, the same ought, forthwith, at the election of the owner, to be either re-shipped or delivered up to the committee of the county or town, wherein they shall be imported, to be stored at the risk of the importer, until the non-importation agreement shall cease, or be sold under the direction of the committee aforesaid; and in the last mentioned case, the owner or owners of such goods shall be reimbursed out of the sales, the first cost and charges; the profit, if any, to be applied towards relieving and employing such poor inhabitants of the town of Boston, as are immediate sufferers by the Boston port-bill; and a particular account of all goods, so returned, stored or sold, to be inserted in the public papers; and if any goods or merchandise shall be imported after the said first day of Feb. the same ought, forthwith, to be sent back again, without breaking any of the packages thereof.

Eleventh, That a committee be chosen in every county, city, and town, by those who are qualified to vote for representatives in the legislature, whose business it shall be attentively to observe the conduct of all persons touching this association; and when it shall be made to appear, to the satisfaction of a majority of any such committee, that any person within the limits of their appointment has violated this association, that such majority do forthwith cause the truth of the case to be published in the gazette; to the end that all such foes to the rights of British America may be publicly known, and universally condemned as the enemies of American liberty; and thenceforth we, respectively, will break off all dealings with him or her.

Twelfth, That the committee of correspondence in the respective colonies, do frequently inspect the entries of their custom-houses, and inform each other, from time to time, of the true state thereof, and of every material circumstance that may occur relative to this association.

Thirteenth, That all the manufactures of this country be sold at reasonable prices, so that no undue advantage be taken of a future scarcity of goods.

Fourteenth, And we do further agree and resolve, that we will have no trade, commerce, dealings or intercourse whatsoever, with any colony or province in North America, which shall not accede to, or which shall hereafter violate this association, but will hold them unworthy of the rights of free-men, and as inimical to the liberties of their country.

And we do solemnly bind ourselves and our constituents, under the ties aforesaid, to adhere to this association, until such parts of the several acts of parliament, passed since the close of the last war, as impose or continue duties on tea, wine, molasses, syrups, paneles, coffee, sugar, pimento, indigo, foreign paper, glass, and painter's colors, imported into America, and extend the powers of the admiralty courts beyond their ancient limits; deprive the American subject of trial by jury; authorise the judge's certificate to indemnify the prosecutor

from damages, that he might otherwise be liable to from a trial by his peers; require oppressive security from a claimant of ships or goods seized, before he shall be allowed to defend his property, are repealed. And until that part of the act of the 12 G. 3, ch. 24, entitled "an act for the better securing his majesty's dock-yards, magazines, ships, ammunition, and stores," by which any persons charged with committing any of the offences therein described, in America, may be tried in any shire, or county, within the realm, is repealed; and until the four acts, passed at the last session of parliament, viz. that for stopping the port and blocking up the harbor of Boston; that for altering the charter and government of the Massachusetts-bay; and that which is entitled "an act for the better administration of justice, &c." and that "for extending the limits of Quebec, &c." are repealed. And we recommend to the provincial conventions, and to the committees in the respective colonies, to establish such farther regulations as they may think proper for carrying into execution this association.

The foregoing association being determined upon by the Congress, was ordered to be subscribed by the several members thereof; and, thereupon, have hereunto set our respective names accordingly.

In Congress, Philadelphia, October 24, 1774.

[Signed] PEYTON RANDOLPH, *President,*

New-Hampshire.

John Sullivan, Nathaniel Folsom.

Massachusetts-Bay.

Thomas Cushing, John Adams,
Samuel Adams, Robert Treat Paine.

Rhode-Island.

Stephen Hopkins, Samuel Ward.

Connecticut.

Eliphalet Dyer, Silas Deane.
Roger Sherman.

New-York.

Isaac Low, William Floyd,
John Alsop, Henry Wisner,
John Jay, S. Boerum,
James Duane, Philip Livingston.

New-Jersey.

James Kinsey, Richard Smith,
William Livingston, John De Hart.
Stephen Crane,

Pennsylvania.

Joseph Galloway, Edward Biddle,
John Dickinson, John Morton,
Charles Humphreys, George Ross.
Thomas Mifflin,

New-Castle, &c.

Cesar Rodney, George Read.
Thomas McKean,

Maryland.

Matthew Tilghman, William Paca,
Thomas Johnson, Samuel Chase.

Virginia.

Richard Henry Lee, Richard Bland,
George Washington, Benjamin Harrison,
P. Henry, Jun. Edmund Pendleton.

North Carolina.

William Hooper, R. Caswell.
Joseph Hewes,

South Carolina.

Henry Middleton, John Rutledge,
Thomas Lynch, Edward Rutledge.
Christopher Gadsden,

Revolutionary Pensioners.

WAR DEPARTMENT,
Pension office, May 11th, 1820.

In all original applications hereafter to be made for the purpose of obtaining pensions, under the act of congress providing for certain persons who served in the land and naval service of the United States during the revolutionary war, passed the 18th March, 1818, and the act supplementary thereto, passed on the 1st May, 1820, the following form must be observed:

District of ———.

On this ——— day of ———, 182—, personally appeared in open court* [being a court of record† for the district, circuit, county or corporation, as the case may be] ———, aged ——— years, who, being first duly sworn according to law doth, on his oath, make the following declaration, in order to obtain the provision made by the acts of congress of the 18th March, 1818, and the 1st May, 1820, that he the said ——— enlisted for the term of ——— on the ——— day of ———, in the year ———, in the state of ———, in the company commanded by captain ———, in the regiment commanded by colonel ———, in the line of the state of ———, on the ——— continental establishment: that he continued to serve in the said corps until ———, when he was discharged from the said service in ———, in the state of ———. [If the declarant shall have served under more engagements than one, he should set forth the company, regiment, and line, or ship, vessel, or corps, in which he may have served, as also the time of entering, and the time and manner of leaving each service.]

That he was in the battles of ———, and that he has no other evidences now in his power, of his said services, except ———.

And in pursuance of the act of the 1st May, 1820, I do solemnly swear or affirm, (as the case may be) that I was a resident citizen of the United States, on the 18th day of March, one thousand eight hundred and eighteen; and that I have not, since that time, by gift, sale, or in any manner, disposed of my property, or any part thereof, with intent thereby so to diminish it as to bring myself within the provisions of an act of congress, entitled, "An act to provide for certain persons engaged in the land and naval service of the United States, in the revolu-

*The whole of the form prescribed in the first section, to verify the amount of property of the applicant, the oath of the party, and the certificate of the clerk excepted, must be done while the court is in session.

†All are courts of record, within the contemplation of the act of congress,

1st. Which are expressly made courts of record by the laws of the state which create them;

2d. Which have been solemnly adjudged by the tribunals of the several states to be courts of record;

3d. Which proceed according to the course of the common law, with a jurisdiction unlimited in point of amount, keeping a record of their proceedings;

4th. Which have the power of fine and imprisonment;

And courts which proceed according to the course of the civil and canon law, having neither of those attributes, are not courts of record, although they may keep a registry of their proceedings, and possess a seal. The court should, in every instance, state on the face of the proceedings, that it is a court of record, and state why it is such.

tionary war," passed on the 18th day of March, one thousand eight hundred and eighteen; and that I have not, nor has any person in trust for me, any property or securities, contracts, or debt due to me; nor have I any income other than what is contained in the schedule hereto annexed, and by me subscribed.

[Here enumerate each article of real and personal estate, necessary clothing and bedding excepted, and subscribe the same. The declarant must also mention his occupation, his ability to pursue it, the number and names of his family residing with him, their ages and their capacity to contribute to their support, in order that the department may be enabled to decide whether the applicant is in such indigent circumstances; as to be entitled to the pension.]

Sworn to and declared on the }
— day of ———, before ——— }

I, ———, clerk of ———, do hereby certify that the foregoing oath (or affirmation) and the schedule thereto annexed, are truly copied from the records of the said court: and I do further certify, that it is the opinion of the said court, that the total amount in value of the property exhibited in the aforesaid schedule, is ——— dollars and cents. In testimony whereof I have hereunto set my hand and affixed the seal of the said court, on this ——— day ——— 182—

Clerk of the court for the ——— of ———.

In all cases where the applicant is on the pension roll, or declarations have been made in conformity to the act of the 18th March, 1818, and the regulations of the war department, prior to the 1st May, 1820, the subjoined blank form is prescribed for such persons as may consider themselves entitled to pensions, under the restrictions of the act of the 1st of May, 1820

District of ———, ss.

On this ——— day of ———, 182—, personally appeared, in open court,* being a court of record† for the said district, [circuit, county, or corporation, as the case may be,] ———, aged ——— years, resident in ———, in said district, [circuit, county, or corporation,] who, first being duly sworn according to law, doth, on his oath, declare that he served in the revolutionary war as follows: [here set forth the regiment, company, and line, or ship, corps, or vessel, and the date of the original declaration; and, if he has received a pension, the number of the pension certificate should be inserted.] And I do solemnly swear, (or affirm, as the case may be,) that I was a resident citizen of the United States on the 18th day of March, 1818, and that I have not since that time, by gift, sale, or in any manner, disposed of my property, or any part thereof with intent thereby so to diminish it as to bring myself within the provisions of an act of congress, entitled "An act to provide for certain persons engaged in the land and naval service of the United States, in the revolutionary war," passed on the 18th day of March, 1818, and that I have not, nor has any person in trust for me, any property or securities, contracts, or debts, due to me; nor have I any income other than what is contained in the schedule hereto annexed, and by me subscribed.

*The words of the 3d section of the act of the 1st of May, 1820, "in such indigent circumstances as to be unable to support himself without the assistance of his country," comprehend those only who are incapable of supporting themselves without the aid of the government, except by private or public charity.—*Opinion of the attorney general of the U.S.*

[Here enumerate each article of real and personal estate, necessary clothing and bedding excepted, and subscribe the same.]

The declarant must also mention his occupation, his ability to pursue it, the number and names of his family residing with him, their ages and their capacity to contribute to their support, in order that the department may be enabled to decide whether the applicant is in such indigent circumstances as to be entitled to the pension.

Sworn to and declared — on the — day of — before —

I, —, clerk of —, do hereby certify that the foregoing oath (or affirmation) and the schedule thereto annexed, are truly copied from the records of the said court; and I further certify that it is the opinion of the said court that the total amount in value of the property exhibited in the aforesaid schedule, is — dollars and — cents. In testimony whereof I have hereunto set my hand, and affixed the seal of the said court, on this — day of —, 182 .

Clerk of the court for the — of —.

Commercial Statistics.

A friend in congress has politely furnished us with the following interesting statements, derived from official documents:

Statement of the value of goods, wares, &c. imported into the United States, commencing on the 1st day of October, 1814, and ending on the 30th day of September, 1818:

YEARS.	AD VALOREM.	SPECIFIC.	TOTAL.
1815	52,073,124	31,006,949	83,080,073
1816	100,201,597	54,945,202	155,146,799
1817	45,204,507	54,053,866	99,258,373
1818	62,326,588	59,505,578	121,832,166
	259,805,816	199,511,595	459,317,411

Statement of the value of goods, wares, &c. exported from the United States, commencing on the 1st day of October, 1814, and ending on the 30th day of September, 1818:

YEARS.	DOMESTIC	FOREIGN.	TOTAL.
1815	45,974,403	6,583,350	52,557,753
1816	64,781,896	17,138,556	81,920,452
1817	68,313,500	19,358,069	87,671,569
1818	73,854,437	19,426,696	93,281,133
	252,924,236	62,506,671	315,430,907
1819	50,976,838	19,165,683	70,142,521

Statement of the gross amount of duties on merchandize and tonnage, which accrued during the years 1815, 1816, 1817, and 1818:

YEARS.	DUTIES ON MERCHANDISE.	DUTIES ON TONNAGE.
1815	37,831,146	614,026
1816	32,716,814	461,076
1817	21,981,487	323,495
1818	25,835,684	248,414

Statement of the quantity of tonnage entered into the ports of the United States during the years 1815, 1816, 1817, and 1818:

YEARS.	AMERICAN.	FOREIGN.	American in foreign trade.
1815	1,115,035	216,277	700,035
1816	1,341,623	259,017	865,723
1817	1,311,644	212,447	779,928
1818	1,418,652	161,414	755,101

Statement of the value of the exportations and importations from the East Indies and China, from the 1st of October, 1814, to the 30th September, 1818:

YEARS.	Dutch East Indies.	British East Indies.	China.
	to them	from them	To China. From China.
1815	47,477	365,602	195,599
1816	47,477	365,602	813,222
1817	171,364	800,621	386,213
1818	49,123	933,507	1,326,194
	267,966	2,149,730	2,721,228
1819	38,619	1,132,342	29,629,587
		100,631	1,512,076

RECAPITULATION.

Total amount of goods imported into the U. States, from the 10th of October, 1814, to the 10th of September, 1818, **\$459,317,411**

Amount of imports beyond the Cape of Good Hope **53,061,932**

Imports, west of the Cape of Good Hope **406,255,479**

To ascertain the *real value*—deduct 20 per cent. on the goods imported from beyond the Cape of Good Hope, and 10 per cent. on those received from other parts, and the amounts will stand thus—

Value of imports from beyond the Cape of Good Hope **44,218,276 66**
all other - - - **369,323,162 74**

Total amount of exports **413,541,439 40**
315,430,907 00

Apparent balance against us in four years **108,110,531 40**

Statement of the amount of the 3 per cent. retained on drawback, from the 1st Jan. 1802, to 31st Dec. 1818—17 years, **\$2,314,877 76**
Greatest amounts in 1804, 5, 6, and 7, rising from 245,096, in 1804, to 368,275, in 1807; in 1808, only 9,145; in 1814, (war) only 942; in 1817, 109,110.

But the amount retained was reduced to 2½ per cent. by act of the 27th of April, 1816.

BONDS FOR DUTIES.

Treasury department, 25d February, 1820.

SIR: In obedience to a resolution of the senate of the 12th February, 1819, directing that "the secretary of the treasury lay before the senate, as early in the next session as practicable, an abstract of all bonds for duties on merchandize imported into the United States, which shall have become payable, and remain unpaid on the 30th day of September next, exhibiting in such abstract the date of each bond and the time when it became payable, its amount, names of the obligors, distinguishing principals from sureties, and the district of the customs in which taken, together with such information as will show how much or what parts of such bonds are irrecoverable and lost to the United States," I have the honor to submit statements A, B, C, and D, and a letter from the register of the treasury, presenting the general results of statements A and D. From the latter statement it appears, that the amount of revenue which has accrued from the customs from the commencement of the present government to the end of the year 1819, is estimated at \$351,329,799 53. From statement A it appears, that the amount of revenue lost by the insolvency of persons who became bound for the payment of duties, is estimated at \$1,037,355 64 cents, and that which is doubtful, at the sum of \$540,969 20. These sums together are not quite equal to forty-five hundredths of one per cent upon the aggregate revenue which has accrued since the organization of the present government. Statement B shows the amount which is estimated to have been lost to the government by the misconduct of officers employed in the collection of the revenue arising from imports and tonnage. Statement C exhibits the amount of loss from the collectors of the internal revenue and direct tax, and receivers of public moneys. These sums form an aggregate amount nearly equal to that which is exhibited in statement A. Documents from 1 to 71, inclusive, contain abstracts of the bonds put in suit in the several collection districts of the United States.

It was intended to have presented a statement of the sums which are estimated to have been lost by the misapplication of the public money by the officers of government employed in disbursing it; but it has been ascertained that the statement cannot be prepared during the present session of congress. There can, however, be no doubt, that the losses arising from this source greatly exceed those which have been incurred in the collection.

I have the honor to be your most obedient servant,
WILLIAM H CRAWFORD,
To the hon. the president of the senate.

STATEMENT B.—[ABSTRACT.]

Balances remaining on the books of the revenue, which appear to have been due more than three years prior to the 1st Jan. 1820:

Aggregate from collectors of the customs \$1,159,727 00

[Of which, from looking over the remarks attached to the different items, it would appear probable that a considerable part, perhaps one fourth of the whole, may be recovered.]

STATEMENT C —[ABSTRACT.]

Balances due from supervisors and collectors of the old internal revenue and old direct tax of two mil-

lions—rendered in pursuance of a resolve of the senate of the U. S. of the 12th Feb. 1819:

Aggregate on account of internal revenue \$132,554 21
Old direct tax 58,545 07

191,099 28

Balance due from receivers of public money, on account of sales of public lands, who are out of office, and which have remained on the books for more than three years:

Aggregate \$92,330 09

[On the preceding many partial payments have been made, and others are suspended for want of vouchers, &c. or in dispute.]

STATEMENT D.

A statement, shewing the nett amount of revenue which has accrued from customs, from the commencement of the present government to the 31st December, 1818; also, the estimated amount of the same, from the 1st January, 1819, to the 31st December, following:

YEARS.	AMOUNT.
From the commencement of the present government to 31st December,	1791 6,534,263 84
From 1st Jan. to 31st Dec.	1792 4,615,559 36
	1793 6,073,512 59
	1794 6,683,313 86
	1795 7,959,409 70
	1796 7,568,120 94
	1797 8,258,111 43
	1798 6,192,447 22
	1799 9,035,348 1
	1800 9,331,346 96
	1801 13,362,702 40
	1802 8,327,260 3
	1803 11,322,427 39
	1804 14,996,965 3
	1805 14,979,880 49
	1806 16,015,317 66
	1807 16,492,889 7
	1808 7,176,985 14
	1809 7,177,190 52
	1810 12,756,831 23
	1811 7,860,736 95
	1812 13,036,573 46
	1813 6,332,312 14
	1814 4,363,842 7
	1815 37,656,407 28
	1816 28,586 330 33
	1817 17,788,103 61
	1818 22,075,610 82
Estimated amount	1819 18,750,000 00
	DOLLARS 351,329,799 53

TREASURY DEPARTMENT,
Register's office, 16th February, 1820,
JOSEPH NOURSE, Register.

TREASURY DEPARTMENT,
Register's office, 16th February, 1820.

The register begs leave to transmit to the secretary of the treasury, a "schedule of bonds, for duties on merchandize imported into the United States, which became payable, and remained unpaid on the 30th September, 1819," prepared in obedience to a resolution of the senate of the United States, passed the 12th February, 1819.

The total amount of bonds in the several districts, on the 30th September, 1819,

\$2,980,443 67

From which deduct de-	
ventures contingent	
on payment of bonds	38,410 72
Partial payments	217,513 44
	<hr/> 255,924 16

Leaves	\$2,724,519 60
Whereof recoverable	1,146,194 76
Doubtful	540,969 20
Supposed to be lost	1,037,355 64

As above \$2,724,519 60
 Connected therewith are the original abstracts
 with the collector's remarks, No. 1, to 71, herewith
 transmitted.

Respectfully submitted,
JOSEPH NOURSE, Register.

Honorable WILLIAM H. CRAWFORD,
Secretary of the treasury

[Here follows two ponderous volumes of tables,
 containing abstracts of bonds taken for duties on
 merchandise imported into the several districts,
 since the commencement of the present govern-
 ment, which had become payable and remained un-
 paid on the 30th Sept. 1819—of no general utility
 to publish, even if we had room for them. All that
 is important respecting them, is stated in the pre-
 ceding letter of the register of the treasury.]

CONGRESS.

IN SENATE.

May 11. The resolution of the house of repre-
 sentatives, for suspending the operation of the act
 of this session, to amend the revolutionary pension
 law, so far as not to interfere with the payment of
 the half year's pension which would be payable in
 September next, was indefinitely postponed, or re-
 jected, by the following vote:

For postponement—Messrs. Barbour, Brown, Ea-
 ton, Edwards, Gallard, Horsey, Johnson, of Lou.
 King of Alab. Lake, Macon, Noble, Pleasants,
 Roberts, Ruggles, Smith, Stokes, Taylor, Thomas,
 Trimble, Walker, of Alab. Williams, of Miss. Wil-
 liams, of Ten.—22.

Against postponement—Messrs. Burrill, Dana,
 Dickerson, Hunter, King, of N. Y. Lanman, Low-
 rie, Mellen, Morrill, Palmer, Parrott, Sanford, Tich-
 enor—13.

May 12. The senate took up, on motion of Mr.
Pleasants, the bill from the other house "to prevent
 the commanders and other officers in the naval
 service of the United States, from accepting of any
 present or emolument of any kind whatever, from
 any king, prince, or foreign state, and for other
 purposes," and having undergone a good deal of
 discussion and some amendment, it was recom-
 mitted, on motion of Mr. Walker of Alab. with instruc-
 tions so to modify its provisions as to make their
 application general.

The following message was received from the
 president of the United States, by Mr. Daniel
 Brent, of the department of state:

*To the senate and house of representatives of the
 United States.*

I communicate to congress translations of letters
 from the minister of Spain to the secretary of state.
 received since my message of the 9th instant.

JAMES MONROE.

Washington, 12th May, 1820.

The message and letters were read and ordered
 to be printed. [See preceding number of the *Re-*
gister, page 222.]

A message was received at the same time from

the president of the United States, transmitting a
 report from the secretary of state, together with
 the returns of causes depending in the courts of the
 United States, collected conformably to a resolu-
 tion of the senate of the 18th of January, 1819,
 which was read, and, with the documents, ordered
 to be printed.

The three bills yesterday ordered to a third
 reading, were severally read the third time, passed,
 and sent to the other house.

After acting on some minor business, the senate
 again went into the consideration of executive bu-
 siness, and so remained until

They adjourned.

May 13. The senate proceeded to the considera-
 tion of the amendments of the house of represen-
 tatives to the bill "to continue in force the act to
 protect the commerce of the United States, and
 to punish the crime of piracy, and also to make
 further provision for punishing the crime of piracy."

The amendments (which were reported in the
 other house, by Mr. Mercer, from the committee
 on the slave trade,) are as follows:

After the third section of the bill insert the fol-
 lowing sections:

And be it further enacted, That if any citizen of
 the United States, being of the crew or ship's com-
 pany of any foreign ship or vessel engaged in the
 slave trade, or any person, whatever, being of the
 crew or ship's company of any ship or vessel owned
 in whole or in part, or navigated for, or in be-
 half of, any citizen or citizens of the United States,
 shall land from any such ship or vessel, and, on any
 foreign shore, seize any negro or mulatto, not
 held to service or labor by the laws of either of the
 states or territories of the United States, with in-
 tent to make such negro or mulatto a slave, or shall
 decoy or forcibly bring or carry, or shall receive
 such negro or mulatto on board any such ship or
 vessel, with intent as aforesaid, such citizen or per-
 son shall be adjudged a pirate, and, on conviction
 thereof before the circuit court of the United States
 for the district wherein he may be brought or found,
 shall suffer death.

And be it further enacted, That if any citizen of the
 United States, being of the crew or ship's com-
 pany of any foreign ship or vessel engaged in the
 slave trade, or any person whatever, being of the
 crew or ship's company of any ship or vessel owned
 wholly or in part, or navigated for, or in behalf
 of, any citizen or citizens of the United States,
 shall forcibly confine or detain, or aid and abet in
 forcibly confining or detaining, on board such ship
 or vessel, any negro or mulatto not held to service
 by the laws of either of the states or territories of
 the United States, with intent to make such negro
 or mulatto a slave, or, shall, on board of any such
 ship or vessel, offer or attempt to sell, as a slave,
 any negro or mulatto, not held to service as afore-
 said, or shall, on the high seas, or any where on tide
 water, transfer or deliver over to any other ship
 or vessel, any negro or mulatto, not held to service,
 as aforesaid, with intent to make such negro or mu-
 latto a slave, or shall land or deliver on shore, from
 on board any such ship or vessel, any such negro
 or mulatto with intent to make sale of, or having
 previously sold, such negro or mulatto as a slave,
 such citizen or person shall be adjudged a pirate,
 and, on conviction thereof before the circuit court
 of the United States for the district wherein he
 shall be brought or found, shall suffer death.

After some discussion, rather on the form than
 the substance of these amendments, they were
 agreed to, without a division.

May 15. Mr. *Sanford*, from the committee on finance, to which had been referred the bill from the other house, authorizing the president of the United States to accept a loan of three millions, reported the same with amendments, proposing, in substance, to borrow the whole five millions, instead of, as the bill provided, borrowing three millions, and making up the remaining two from the sinking fund, and also striking out the provision authorizing a subscription of certain of the Mississippi stock to the loan.

These amendments Mr. *Sanford* explained and supported, and they were agreed to by the senate.

They were subsequently returned from the other house disagreed to in part, with a request for a conference. The conference was agreed to by the senate, after insisting on their amendments, and Messrs. *Sanford*, *Macon*, and *Eaton*, appointed managers. They soon after reported the agreement recommended by the committee of conference, which recommendation was adopted by the senate; and the proceeding resulted in reducing the amount of the loan to three millions only, leaving the sinking fund to be untouched, (on the ground that congress would be in session early enough next session to provide the remaining two millions,) and expunging the section which authorizes Mississippi stock (now due and payable) to be subscribed to the loan.

Mr. *Lowrie* moved the adoption of the following resolution, which, after some explanation by the mover, and some discussion, was agreed to:

Resolved, That the president of the United States cause to be laid before the senate, at their next session, a statement of the number of militia from each state, that were called into the public service by order of the president of the United States, during the late war; of the number furnished by each state, the number recognized by the U. States, from each state, and the period of their service; of the amount of fines imposed for neglect of duty, distinguishing the number of persons on whom fines have been imposed, the sums collected by the respective marshals, the sums paid by them respectively into the treasury of the United States, the expenses of the courts-martial in the several states, and the number and amount of fines so imposed that have been remitted, within the states respectively.

The senate took up the resolution from the other house, requesting the president to enter into negotiations for the entire abolition of the slave trade; on which resolution some discussion took place, not from any opposition to the object intended to be effected, but as to the mode; after which the resolution was put on its third reading, and, being objected to, it was lost, as, under the rules of the senate, it requires a unanimous consent to give a bill or joint resolution two readings in one day.

The senate proceeded to the consideration of the amendments of the other house to the bill to make further provision for the relief of sick and disabled seamen; when, on motion of Mr. *Pleasant*, the bill was postponed to the next session.

Many bills were engrossed and passed, which are inserted in the list of acts, see page 234.

HOUSE OF REPRESENTATIVES.

Thursday, May 11. The house agreed to recede from its amendments to the bill from the senate to incorporate the city of Washington, &c.

The bill as amended by the house, and returned by the senate with their dissent to said amend-

ment, respecting the clothing of the army of the U. S. was laid on the table.

Friday, May 12. The "act granting to the state of Ohio the right of pre-emption to certain quarter sections of land," reported without amendment, was ordered to be read a third time to-morrow.

The bill from the senate respecting E. and W. Winter was laid on the table.

Mr. *Cocke*, from the committee on military affairs, made the following report:

The committee on military affairs, to whom was referred the report of the secretary of war containing the proceedings of the court martial on the trial of William King, colonel of the fourth regiment of United States infantry, have had the same under consideration, and submit to the house the following resolution:

"Resolved, That the president of the United States be requested to strike from the rolls of the army the said William King, colonel of the fourth regiment of United States' infantry."

The report lies on the table

Several of the standing committees were discharged from the consideration of all matters on which they have not already reported and the committee of the whole from the consideration of several bills. The following resolution, after debate, was ordered to a third reading—

Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the president be requested to consult and negotiate with all the governments, where ministers of the United States are, or shall be accredited, on the means of affecting an entire and immediate abolition of the African slave trade.

The bill from the senate, "to continue in force an act to protect the commerce of the U. S. and punish the crime of piracy, &c. was passed and sent to the senate for concurrence in the amendment.

The loan bill was next considered—after some remarks, and sundry motions about it, it was ordered to be engrossed for a third reading.

The bill respecting the enlistment of seamen for the navy of the United States, was then taken up, and ordered to be engrossed for a third reading.

The bill from the senate, providing for the relief of sick and disabled seamen, passed through a committee of the whole, and being amended, was ordered to be engrossed for a third reading.

The bill from the senate, authorising the building of certain small vessels of war, passed through a committee of the whole, after being amended so as to reduce the number from seven to five.

[The object of these vessels is to protect the revenue, and pursue pirates, &c. in the waters of our southern coast, which are too shallow to be navigated by the vessels now in service.]

After some opposition, the bill was ordered to a third reading, 78 to 37, and subsequently passed.

The bill from the senate, supplementary to the bill commonly called the navigation law, passed through a committee of the whole, where it was decidedly supported by Mr. *Newton*, Mr. *Clay*, and Mr. *Foot*. Ordered to a third reading 94 to 25, read a third time, passed, and sent to the senate.

The bill from the senate, "to limit the term of office of certain officers therein named, and for other purposes," passed through a committee of the whole, and was ordered to a third reading; and was read a third time, passed, and returned to the senate.

And then the house adjourned to meet again at 7 o'clock this evening.

Evening sitting.

The bill to amend the act for the reservation of timber lands for naval purposes;

the bill to continue in force the act to provide for persons disabled by known wounds in the revolutionary war;

the bill to provide for repairing the general post office building; and

several other bills, which shall be hereafter noticed, passed through committees of the whole, and were ordered to be engrossed for a third reading.

The bill designating the ports at which only foreign armed vessels shall be permitted to enter, was among those ordered to be engrossed for a third reading. Many private bills were variously acted upon.

Saturday, May 13. Mr. Smith, of North Carolina, from the committee of accounts, to whom was referred the report of the speaker, and his account, with the vouchers in support thereof, respecting the expenditure for furnishing the hall and offices of the house of representatives, made a report, which was read, and the resolution appended thereto was agreed to as follows:

Resolved, That the house doth approve of the said expenditure, amounting to the sum of twenty four thousand nine hundred and seven dollars thirty seven and a half cents, and that it be certified to the treasury accordingly.

Mr. Storrs, from the committee on roads and canals, to which was referred the bill from the senate, entitled "an act for the appointment of commissioners to lay out a canal in the state of Ohio," reported the same without amendment; and it was referred to the committee of the whole, to which is committed the bill providing for the preservation and repair of the Cumberland road.

The bill from the senate, granting to the state of Ohio the right of pre-emption to certain quarter sections of lands; the bill from the senate for the relief of the inhabitants of the village of Poria, in the state of Illinois, were severally read a third time, passed and returned to the senate.

The bill from the senate to provide relief for sick and disabled seamen, was read a third time as amended, and passed. [The bill, as it stands, contains provisions for the erection of a hospital at New Orleans, and of another in Savannah.]

The engrossed bill to authorise the president of the United States to borrow three millions of dollars, was read a third time; and, on the question "shall the bill pass?" The question was decided as follows:

YEAS.—Messrs. Alexander, Allen, of N. Y. Allen, of Ten. Anderson, Archer, of Md. Archer, of Va. Ball, Hartman, Bercher, Brerard, Brush, Bryan, Buffum, Butler, of N. H. Butler, of Lou. Cas. Cingrett, Cook, Culbreth, Cushman, Cuthbert, Dennison, Dowse, Edly, Edwards, of Conn. Floyd Folger, Foot, Forrest, Fulerton, Gross, of Penn. Hiever, Hill, Johnson, Jones, of Va. Jones, of Ten. Kinsey, Little, Lowmides, McClay, McCrary, Meigs, S. Moore, Murray, Neal, Nelson, of Mass. Nelson, of Va. Newton, Parker, of Mass. Patterson, Phelps, Philson, Pinckney, Pitcher, Rankin, Rhoads, Rich, Rogers, Sampson, Sergeant, Silbee, Smith, of N. J. Smith, of N. C. Street, Strong, of N. Y. Tarr, Taylor, Tomlinson, Tumplins, Trimble, Van Rensselaer, Wallace, Wendover, Williams, of Va. Wood.—78

NAYS.—Messrs. Baldwin, Boden, Burton, Burwell, Campbell, Cannon, Cobb, Cochrane, Crafts, Culpepper, Edwards, of P. M. Edwards, of N. C. Hendricks, Hotellett, Kinsall, Kinsey, Linn, Livermore, McCoy, Metcalf, Plumer, Russ, Sloan, Southard, Storrs, Strong, of Vt. Tucker, of S. C. Walker, Williams, of N. C.—30.

So the bill was passed and sent to the senate for concurrence.

The bills which were, in the session of last evening, ordered to be engrossed for a third reading, were read a third time, passed and sent to the senate for concurrence.

The bill providing for the expense of surveying the coast of North Carolina, was ordered to be en-

grossed for a third reading, and afterwards passed; as was also the bill to continue in force the "act to provide for the reports of decisions of the supreme court."

The house resolved itself into a committee of the whole, on the bill to impose a new tonnage duty on French ships and vessels.

The first section of this bill provides, that, in lieu of the tonnage duty now paid on French ships or vessels, there shall be paid a duty of eighteen dollars per ton, on all French ships or vessels which shall be entered in the United States, any act to the contrary notwithstanding: *Provided, however*, That nothing contained in this act shall be so construed as to prevent the extension of the provisions of the act, entitled "An act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage between foreign vessels and vessels of the United States, and between the goods imported into the United States in foreign vessels, and vessels of the United States," to French ships and vessels, and the goods imported therein, whenever the government of France shall accede to the provisions of the act above referred to.

Sec. 2. That the tonnage duty, laid and directed to be paid by this act, shall be collected and paid according to the provisions of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine.

Sec. 3. That this act shall commence, and be in force, from and after the first day of July, one thousand eight hundred and twenty.

Mr. Newton, the chairman of the committee of commerce, gave a brief exposition of the causes which rendered expedient the passage of this bill. The document laid before congress on the subject, he said, shewed that all attempts at negotiation on it had failed. The policy of the United States had been just and liberal: we had offered every thing that could be offered, on terms of reciprocity, to induce France to abandon her policy, so injurious to our commercial and navigating interest. We had offered her the same terms as had been accepted by Russia, by the Netherlands, by the Hanseatic cities; but we had offered it in vain.

He was very sorry, he said, that it became his duty now to advocate a policy, which, of all others, was most abhorrent to his mind—that of restrictions on commerce. He was happy that our government had shown to the nations of the world the example of placing commerce on the most liberal footing; but, as France had refused to reciprocate that liberality, it has now become our imperious duty to come back, in regard to France, to the policy which she herself pursues. In consequence of her illiberality in this respect, we are compelled to resort to the measure now under consideration. She is now in possession of a positive advantage over us, by her regulations. Will she voluntarily give it up? It has been already shewn that she will not; and she will continue to refuse to give it up, until she finds that by persisting in it she has subjected her own commerce to inconvenience. In order, therefore, to enable the president of the United States, between this time and the next session of congress, to negotiate with the French government to some effect, it was necessary to pass this bill. There is in the bill a provision that, if the French government feels disposed to enlarge its policy in regard to us, all restrictions on her commerce in our ports

will be done away, and her vessels will be placed on the same footing in the ports of the United States as those of Great Britain now are. If we do not resort to this measure, the door of negotiation will remain, as it now is, shut in our face. These considerations being taken into view, he hoped the committee would see the necessity of passing this bill.

Without further debate, the committee rose and reported the bill, and it was ordered to be engrossed for a third reading; and was subsequently read a third time, passed, and sent to the senate for concurrence.

The bill to confirm claims to land in the state of Illinois, passed through the usual forms, was read a third time, passed, and sent to the senate for concurrence.

The bill "to authorize the appointment of commissioners to lay out the road therein mentioned," (from Wheeling, where the Cumberland road now ends, to the east bank of the Mississippi,) passed through a committee of the whole and was ordered to be engrossed for a third reading, by yeas and nays, 74 to 35; and the bill was read a third time, passed, and returned to the senate for concurrence in an amendment thereto made in this house.

On motion of Mr. Newton, it was

Resolved, That the secretary of the treasury be directed to report to the house of representatives, at the next session of congress, what alterations or modifications, if any, are required in the several acts of congress fixing the fees and emoluments of the collectors of the customs, naval officers, and surveyors of the customs; and also a plan for compensating such officers according to the services respectively performed by them.

The bill making appropriations for carrying into effect the treaty lately concluded with the Chipewa nation of Indians, passed through a committee of the whole, and was ordered to be engrossed for a third reading on Monday next.

And the house adjourned to meet at nine o'clock on Monday.

Monday, May 15 Soon after meeting this morning, the house, on motion of Mr. Sergeant, resolved itself into a committee of the whole, Mr. Nelson in the chair, on the bill from the senate, in addition to the acts providing for the better organization of the treasury department.

[This bill, let it be understood, provides a summary process for the recovery of monies belonging to the United States, in the hands of individuals, collectors, and other public agents, &c.]

This bill gave rise to a debate, begun by Mr. Edwards, of N C in opposition to the bill, which was supported by Mr. Sergeant and others.

After the debate, the bill was ordered to be read a third time; and subsequently read a third time, passed, by yeas and nays, 89 to 14, and returned to the senate for concurrence in the amendments.

The loan bill was returned from the senate with amendments, the object of which was to increase the authority to borrow five millions instead of three, and to strike out what relates to the surplus of the sinking fund, and to the funding of the Mississippi stock.

Mr. Smith, of Md who regarded the amendment as going to do covertly, what the bill proposed to do openly, moved that the house disagree to the amendments, and ask a conference with the senate on the disagreement.

This was agreed to. The result of the conference, as agreed to by both houses, was as heretofore stated.

On motion of Mr. Sawyer, a resolution passed, requesting the secretary of the treasury to report to congress, at their next session, such officers of the revenue as, on account of their inutility or from any other cause, may be dispensed with.

The house having got through the business before it—

Mr. Warfield, of Md. rose and observed, that although it had been customary, whenever there existed a disposition on the part of the house by an unanimous vote to express their unqualified approbation of the course pursued by the speaker, to delay the expression of that opinion until the termination of the period for which he was elected, yet he was induced on this occasion, to depart from that course, having distinctly understood that it was the intention of the speaker to decline the duties of the chair at the close of the present session. Any observations, said Mr. W. to enforce the justice and propriety of unanimously adopting the resolution would be altogether superfluous. Every member of the house, in common with himself, had witnessed, during the present laborious and protracted session, the dignity, ability and impartiality, with which the speaker had discharged the duties of his station; and he was persuaded there was not a member of that body to whom it would not afford the truest gratification to offer the small tribute of respect and approbation intended to be expressed in the resolution then before them. Mr. W. then submitted the following resolution, the question on which being put by the clerk, it was adopted unanimously:

Resolved, unanimously, by the house of representatives of the United States of America, That the thanks of this house be given to the honorable Henry Clay, speaker thereof, for the dignity, ability and impartiality with which he has discharged the duties of that station.

The speaker then rose and addressed the house as follows:

Gentlemen—The house of representatives has, on former occasions, honored me by a vote of its thanks. I then felt that the sole claim which I had to a testimony of the public approbation so distinguished, was the zeal with which I have ever sought to discharge the highly responsible duties of the chair; and I am now sensible that I am indebted to your belief of the continued exertion of that zeal for the fresh proof of your favorable sentiments towards me, in the resolution which you have just adopted.

If, gentlemen, the traveller parts with regret from those agreeable acquaintances which he casually makes, as he journeys on his way, how much more painful must be the separation of those who have co-operated many months in the anxious endeavor to advance the prosperity of a common country; who have been animated by mutual sympathies; and who have become endeared to each other by an interchange of all the friendly offices incident to the freest social intercourse? Addressing you, as I now do, probably the last time from this place, I confess I feel a degree of emotion which I am utterly unable to express. I shall carry with me into that retirement, which is necessary to the performance of indispensable private duties, a grateful recollection of all your kindnesses; of the respectful and affectionate consideration of me, which you have always evinced; of the generous, and almost unlimited confidence which you have ever reposed in me; and of the tenderness with which you have treated even my errors. But, interesting as have been the relations in which I have

stood, for many years, to this house, I have yet higher motives for continuing to behold it with the deepest solicitude. I shall regard it as the great depository of the most important powers of our excellent constitution; as the watchful and faithful centinel of the freedom of the people; as the fairest and truest image of their deliberate will and wishes; and as that branch of the government where, if our beloved country shall unhappily be destined to add another to the long list of melancholy examples of the loss of public liberty, we shall witness its last struggles and its expiring throes.

Gentlemen, I beg you to carry with you my sincerest wishes for your individual happiness, and the prosperity of your respective families.

Mr. Smith, of Md. and Mr. Van Rensselaer having been appointed to wait on the president, reported to the house that the president had no further communication to make; and

The house adjourned to the second Monday in November.

List of Acts,

Passed at the first session of the sixteenth congress.

An act for the admission of the territory of Missouri into the union as an independent state.
 in addition to the act making appropriation for the support of the navy for the year 1819.
 making a partial appropriation for the military service of the United States, for the year 1820.
 for the admission of Maine into the union.
 supplementary to the act, to fix the compensation of the clerks in the public offices, passed 12th April, 1818.
 to provide for taking the fourth census.
 making appropriations to supply a deficiency in the appropriations heretofore made for the completion of the wings of the capitol, &c.
 in addition to the several acts for the establishment of the treasury, war, and navy departments.
 extending the time for the redemption of land sold for direct taxes, &c.
 to alter the terms of the court of the western district of Virginia.
 authorising the sale of thirteen sections of land, lying within the land district of Canton, Ohio.
 fixing the time for the next meeting of congress.
 to alter and establish certain post roads.
 to alter the times of holding the courts in the district of Columbia.
 to authorise the publication of the laws of the territory of Michigan.
 to annex certain lands within the territory of Michigan to the district of Detroit.
 to amend the act for the publication of the laws of the United States.
 in addition to the act to provide for certain persons engaged in the land and naval service in the revolutionary war.
 to establish a uniform mode of discipline for the militia.
 making appropriations for the support of government for the year 1820.
 authorising the appointment of a register and receiver for the land office in Laurence county, territory of Arkansas.

An act making appropriations for the centre building of the capitol.
 altering the place of holding the U. States courts in Ohio.
 to continue in force the act for establishing trading houses with the Indian tribes.
 making appropriations for the military establishment for the year 1820.
 concerning the banks of the district of Columbia.
 making appropriations for the support of the navy of the U. States for the year 1820.
 authorising the transmission of certain documents free of postage.
 to continue in force the act of 20th April, 1818, supplementary to the act to regulate the collection of duties on imports and tonnage, passed 2d March, 1799.
 to establish a circuit court in the district of Maine.
 to provide for obtaining accurate statements of the foreign commerce of the U. States, for the relief of certain persons who have paid duties on certain goods imported into Castine.
 to authorise the payment for certain muskets impressed into the service of the U. States.
 to continue in force an act to provide for reports of decisions of the supreme court, approved 3d March, 1817.
 making further provision for the sale of the public lands.
 to establish a district court in the state of Alabama.
 to alter the times of holding the court of the United States for the western district of Pennsylvania.
 for the better organization of the treasury department, which authorises a summary process against delinquents and defaulters, supplementary to the several acts for the adjustment of land claims in the state of Louisiana.
 to remit the duties on a statue of George Washington.
 to incorporate the inhabitants of the city of Washington.
 further to suspend, for a limited time, the sale or forfeiture of land, for failure in completing the payment thereon.
 further to extend the charter of the city of Washington.
 in addition to the act regulating the post-office establishment.
 to increase the allowance to the judges of the orphans court, in the counties of Washington and Alexandria.
 for the relief of certain sufferers by fire at Savannah, in Georgia.
 for apportioning the representatives in the 17th congress, in the states of Massachusetts and Maine.
 to authorise the building of a certain number of small vessels of war.
 confirming the proceedings of the inhabitants of the village of Cahokia, in the state of Illinois, in laying out a town on the commons of said village.
 to continue in force "An act to protect the commerce of the United States, and to punish the crime of piracy," and also to make further provision for punishing the crime of piracy.

An act to establish additional land offices in the state of Alabama and Illinois relative to the Arkansas territory. to provide for the expense of surveying parts of the coast of North Carolina. further to regulate the medical department of the army. to revive the powers of the commissioners to decide on claims to land in the district of Detroit, &c. in the territory of Michigan. granting to the state of Ohio, the right of pre-emption to certain quarter sections of land. concerning navigation. to provide for building an addition to the custom house in New-Orleans for the accommodation of the district court. to limit the term of office of certain officers therein named, and for other purposes. to erect a light house on one of the Isles of Shoals, and for other purposes. to authorise the appointment of commissioners to lay out the road therein mentioned. for the relief of persons holding confirmed unlocated claims for lands in the state of Illinois. to amend the act making reservation of certain public lands for naval purposes. for repairing the roof of the general post-office, and to procure an engine for that building. to increase the number of clerks in the war department. to amend the act authorising the employment of an additional naval force. designating the ports within which only foreign armed vessels shall be permitted to enter. authorizing the governor of Illinois to obtain certain abstracts of land. to impose a new tonnage duty on French ships and vessels. in addition to the act making appropriations for the support of government for the year 1820. to revive and continue in force the act to provide for persons disabled by known wounds received in the revolution. for authorising a loan of three millions of dollars. to authorise the appointment of commissioners to lay out a road, in continuation of the great national western road, from Wheeling to the eastern bank of the Mississippi.

Private acts. For the relief of Denton, Little & Co. and Herman Hendrick, of New-York; of William McDonald; of Beck and Harvey; of James Hughes; of the representatives of Philip Barbour; allowing Sarah Allen bounty land and pay, due to her son, who died in the service of the U. States; for the relief of Anthony Burk; of Ether Shepley; William Coffin and others; Fielding Jones; Stanton Sholes; for the benefit of the Columbian Institute, at Washington city; do. of Christopher Miller; for the relief of Samuel B. Beall; certain settlers in the state of Illinois, Vincennes district; Martha Flood; James Merrill; Charles S. Jones and Richard Buckner; John D. Carter; the representatives of Isaac Melchior; of Susan Stewart; Elkanah Finney; the heirs of Abijah Hunt and William G. Forman; John Steele; Elizabeth Braden; Daniel Bickley and Catharine Clark; Thomas C. Withers;

the widow of John Heaps; Daniel Converse and George Miller; James Wilkinson; Joseph Bruce; giving the right of pre-emption to James Shields; for the relief of Jacob Konkopot and others, Stockbridge indians; Angus O'Fraser and others; the representatives of Henry Wills; Stephen Baxter; Joseph M. Skinner; John McGrew and others; John B. Rognier; John Law and Jonathan Elliott; Mathew Barrow; John A. Dix; confirming Anthony Cavalier and Peter Petit in their claim to land; for the relief of Anthony S. Delisle and others; the representatives of Nicholas Vreeland; Jennings O'Bannon; John Harding and others; the representatives of John O'Connor; to authorise the issue of letters patent to Richard Wilcox; for the relief of Walter Channing; John H. Piatt; Mary Cassin; Robert Swartwout; Thomas Hunter; the representatives of Lench Francis; to settle the accounts of Richard O'Brien; for the relief of Thomas Leiper; Richard Smyth; James L. Cathcart; the inhabitants of the village of Peoria; to grant a patent to Henry Burden; for the relief of Richard S. Hackley; Joshua Newton and others; Ambrose Vasse.

Resolutions, joint, for the further distribution of the journal of the convention which formed the constitution of the United States. to authorise the publication of part of the secret journal of the congress under the articles of the confederation. giving the consent of congress to the compact between Kentucky and Tennessee, for the settlement of their boundaries. for the distribution of certain copies of the journal of the convention which formed the constitution. declaring the admission of Alabama into the union.

Laws of the United States.

PASSED AT THE LATE SESSION

An act to impose a new tonnage duty on French ships and vessels.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That in lieu of the tonnage duty now paid on French ships or vessels, there shall be paid a duty of eighteen dollars per ton on all French ships or vessels which shall be entered in the United States, any act to the contrary notwithstanding: *Provided, however,* That nothing contained in this act shall be so construed as to prevent the extension of the provisions of the act, entitled "An act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandize, imported into the United States, as imposes a discriminating duty on tonnage between foreign vessels and vessels of the United States, and between the goods imported into the United States in foreign vessels and vessels of the United States," to French ships and vessels, and the goods imported therein, whenever the government of France shall accede to the provisions of the act above referred to.

Sec. 2 *And be it further enacted,* That the tonnage duty laid and directed to be paid by this act, shall be collected and paid according to the provisions of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine.

Sec. 3 *And be it further enacted,* That this act shall commence and be in force, from and after the

first day of July, one thousand eight hundred and twenty.

H. CLAY,

Speaker of the house of representatives.

JOHN GAILLARD,

President of the senate pro tempore.

Washington, May 15, 1820. Approved,

JAMES MONROE.

An act to continue in force "An act to protect the commerce of the United States, and punish the crime of piracy," and also to make further provision for punishing the crime of piracy.

Be it enacted by the senate and house of representatives of the United States of America, in Congress assembled, That the first, second, third, and fourth, sections of an act, entitled "An act to protect the commerce of the United States and punish the crime of piracy," passed on the third day of March, one thousand eight hundred and nineteen, be, and the same are hereby continued in force, from the passing of this act, for the term of two years, and from thence to the end of the next session of congress, and no longer.

Sec. 2. *And be it further enacted,* That the fifth section of the said act be, and the same is hereby continued in force, as to all crimes made punishable by the same, and heretofore committed, in all respects as fully as if the duration of the said section had been without limitation.

Sec. 3. *And be it further enacted,* That if any person shall, upon the high seas, or in any open roadstead, or in any haven, basin, or bay, or in any river, where the sea ebbs and flows, commit the crime of robbery in or upon any ship or vessel, or upon any of the ship's company of any ship or vessel, or the lading thereof, such person shall be adjudged to be a pirate; and being thereof convicted before the circuit court of the United States for the district into which he shall be brought, or in which he shall be found, shall suffer death. And if any person engaged in any piratical cruise or enterprise, or being of the crew or ship's company of any piratical ship or vessel, shall land from such ship or vessel, and on shore shall commit robbery, such person shall be adjudged a pirate, and on conviction thereof before the circuit court of the United States for the district into which he shall be brought, or in which he shall be found, shall suffer death: *Provided,* that nothing in this section contained shall be construed to deprive any particular state of its jurisdiction over such offences, when committed within the body of a county, or authorise the courts of the United States to try any such offenders, after conviction or acquittance for the same offence in a state court.

Sec. 4. *And be it further enacted,* That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned in whole or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall land from any ship or vessel, and, on any foreign shore, seize any negro or mulatto, not held to service or labor by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy or forcibly bring or carry, or shall receive such negro or mulatto on board any such ship or vessel, with intent, as aforesaid, such citizen or person shall be adjudged a pirate, and, on conviction thereof before the circuit court of the United States for the district wherein he may be brought or found, shall suffer death.

Sec. 5. *And be it further enacted,* That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned wholly or in part, or navigated for, or in behalf of any citizen or citizens of the U. States, shall forcibly confine, or detain, or aid and abet in forcibly confining, or detaining, on board such ship or vessel, any negro or mulatto, not held to service by the laws of either of the states or territories of the United States, with intent to make such negro and mulatto a slave, or shall, on board any such ship or vessel, offer, or attempt to sell, as a slave, any negro or mulatto, not held to service, as aforesaid, or shall, on the high seas, or any where on tide water, transfer or deliver over, to any other ship or vessel, any negro or mulatto, not held to service, as aforesaid, with intent to make such negro or mulatto a slave, or shall land, or deliver on shore, from on board any such ship or vessel, any such negro or mulatto, with intent to make sale of, or having previously sold, such negro or mulatto as a slave, such citizen or person shall be adjudged a pirate, and, on conviction thereof, before the circuit court of the United States for the district wherein he shall be brought or found, shall suffer death.

H. CLAY,

Speaker of the house of representatives.

JOHN GAILLARD,

President of the senate, pro tempore.

Washington, May 15, 1820. Approved,

JAMES MONROE.

An act to amend the act, entitled "An act to amend the act authorising the employment of an additional naval force."

Be it enacted by the senate and house of representatives of the United States of America, in Congress assembled, That the second section of the act, entitled "An act authorising the employment of an additional naval force," passed on the thirty-first day of January, eighteen hundred and nine, be, and the same is hereby amended, so far as to authorise the enlistment of able seamen, ordinary seamen, and boys, during the continuance of the service or cruise for which they shall be enlisted; not, however to exceed the period of three years.

H. CLAY,

Speaker of the house of representatives.

JOHN GAILLARD,

President of the senate, pro tempore.

Washington, May 15, 1820. Approved,

JAMES MONROE.

An act supplementary to an act, entitled "an act concerning navigation."

Be it enacted by the senate and house of representatives of the United States of America, in Congress assembled, That, from and after the thirtieth day of September next, the ports of the United States shall be and remain closed against every vessel owned wholly or in part by a subject or subjects of his Britannic majesty, coming, or arriving by sea, from any port or place in the province of Lower Canada, or coming, or arriving, from any port or place in the province of New Brunswick, the province of Nova Scotia, the island of Newfoundland, St. Johns or Cape Breton, or the dependencies of any of them, the islands of Bermuda, the Bahama islands called Caicos, or the dependencies of any of them, or from any other port or place in any island, colony, territory, or possession, under the dominion of Great Britain in the West Indies, or on

the continent of America, south of the southern boundary of the United States, and not included within the act to which this act is supplementary. And every such vessel, so excluded from the ports of the United States, that shall enter, or attempt to enter, the same, in violation of this act, shall, with her tackle, apparel and furniture, together with her cargo on board such vessel, be forfeited to the U. States.

Sec. 2. *And be it further enacted*, That, from and after the thirtieth day of September next, the owner, consignee, or agent, of every vessel owned wholly or part by a subject or subjects of his Britannic majesty, which shall have been duly entered in any port of the United States, and on board of which shall have been there laden, for exportation, any article or articles of the growth, produce or manufacture of the United States, other than provisions and sea-stores necessary for the voyage, shall, before such vessel shall have been cleared outward at the custom-house, give bond, in a sum double the value of such article or articles, with one or more sureties, to the satisfaction of the collector, that the article or articles, so laden on board such vessel for exportation, shall be landed in some port or place other than a port or place in any province, island, colony, territory or possession, belonging to his Britannic majesty, that is mentioned or described in this act, or in the act to which this act is supplementary. And every such vessel that shall sail, or attempt to sail, from any port of the United States, without having complied with the provisions aforesaid, by giving bond as aforesaid, shall, with her tackle, apparel and furniture, together with the article or articles aforesaid, laden on board the same as aforesaid, be forfeited to the United States: *Provided*, That nothing herein contained shall be deemed or construed so as to violate any provision of the convention to regulate commerce between the territories of the United States and of his Britannic majesty, signed the third day of July, one thousand eight hundred and fifteen.

Sec. 3. *And be it further enacted*, That, from and after the thirtieth day of September next, no goods, wares, or merchandize, shall be imported into the United States of America from the province of Nova Scotia, the province of New Brunswick, the islands of Cape Breton, St Johns, Newfoundland, or their respective dependencies, from the Bermuda islands, the Bahama islands, the islands called Caicos, or either or any of the aforesaid possessions, islands, or places, or from any other province, possession, plantation, island, or place, under the dominion of Great Britain in the West Indies, or on the continent of America, south of the southern boundaries of the U. States, except only such goods, wares, and merchandize, as are truly and wholly of the growth, produce, or manufacture, of the province, colony, plantation, island, possession, or place aforesaid, where the same shall be laden, and from whence such goods, wares, or merchandize, shall directly be imported into the United States; and all goods, wares, and merchandize, imported, or attempted to be imported, into the United States of America, contrary to the provisions of this act, together with the vessel on board of which the same shall be laden, her tackle, apparel, and furniture, shall be forfeited to the United States.

Sec. 4. *And be it further enacted*, That the form of the bond aforesaid shall be prescribed, and the same shall be discharged, and all penalties and forfeitures, incurred under this act, shall be sued for, recovered, distributed, and accounted for, and the same may be mitigated, or remitted, in the manner,

and according to the provisions, of the act to which this act is supplementary.

H. CLAY,
Speaker of the house of representatives.
JOHN GAILLARD,
President of the senate, pro tempore,
Washington, May 15, 1820. Approved,
JAMES MONROE,

Foreign Articles.

Since the following articles were prepared, we learn, by other arrivals, that Thistlewood had been found guilty of "conspiring to levy war, and actually levying war, against the king." One of the censors (of the press) at Paris, was pretty nearly mobbed by the people, because of his odious office. The Russian minister has complimented Ferdinand on accepting the constitution of the cortes. The inquisition has been destroyed at Majorca, &c.; and its victims paraded in triumph. The remains of general Lacey, shot for being a patriot, were to be raised and re-interred with great ceremony. Quiroga has entered Cadiz amidst the acclamations of the people.

By an arrival at Stonnington, we learn that the new government at Buenos Ayres was organized and settled. General Artigas had overrun and subdued all the country east of the river, and peace was again established. General "Sarrata," (probably Carrera) was at the head of the government at Buenos Ayres.

GREAT BRITAIN AND IRELAND.

London dates of April 19.

The new parliament was to assemble on the 21st April. They seem much perplexed to know what to do with the queen, who was last at Rome. She has written a spirited letter home, demanding that her name should be inserted in the liturgy, that a palace should be assigned her, &c. and appears determined on a speedy return to England. She complains of being surrounded by spies, and of many insults heaped upon her.

It was stated on oath, that a conspiracy for a simultaneous insurrection had been formed—that Huddersfield was to have been taken—the mail coaches stopped—and a revolution commenced, &c. &c.

Commotions had risen to a great height in Scotland. The mobs had been fired on several times. Eleven of a committee of a provisional government had been arrested.

Several arrests have taken place at Glasgow, of persons so respectable that the papers forbear to mention their names.

The king has issued a proclamation offering a reward of 500l. for the discovery of the authors or printers of a treasonable address posted up in Glasgow, Paisley, &c. on the night of April 1.

Many persons have been committed, charged with high treason. Arrests, in England and Scotland, are "as plenty as blackberries."

We have many details of the designs and proceedings of the radicals in England.—It is useless to relate them. The country is very unsettled and uneasy, and plots or reported plots are heard of in all the manufacturing districts. Parties of radicals have been discovered and dispersed when going through their military exercises with pikes, and there is a great cry about the manufacture of those weapons.

The trial of Thistlewood and his associates, was going on with great form and excited much attention. Several witnesses had been examined; among them a person named Adams, an accomplice,

whose evidence is said to have caused a "universal shudder throughout the audience."

Some of the British editors laugh very heartily at a proclamation of George IV. "for the encouragement of *piety and virtue*, and for the preventing and punishment of *vice, profaneness and immorality*."

Hanging seems more lively than any other business in England. Dozens are condemned at the sessions of the several courts, for various offences.

The Liverpool Courier of April 19, says, "In Yorkshire and Scotland, the experiment of a simultaneous insurrection has been attempted, and even yet the tumults are unallayed."

The robes to be used at the new king's coronation will cost 30,000*l*.

It is stated that the revenue in England has not been so productive as had been expected.

There was a deficiency in the cloth manufactures of Yorkshire last year, compared with those of the preceding, of 61,061 pieces of broads and 20,614 of narrow—together 2,672,102 yards.

Every seventh man, woman and child of Liverpool is a pauper—not more than one half of the population contributes to the parish rates, which amount to \$333,000 dollars per annum!

Pickpockets carry on trade in gangs of 30 or 40 strong in London, and have severely abused some who detected and attempted to arrest them.

A late London paper says—A chest recently brought from India, containing the regalia and other articles taken in 1815, from the palace of the deposed king of Candy, was opened on Wednesday last at the bank of England. Among the curious and costly articles disclosed to view, were a regal crown of pure gold, an entire suite of golden armour, together with a number of tiaras, bracelets, amulets, and other ornaments, for the most part studded with precious stones, and many of them suspended by massive gold chains, of ingenious workmanship. The whole collection, which is of considerable value, has been given up by his majesty for the benefit of the captors, and will shortly, it is understood, be offered for sale.

[Bless my heart!—what would the London papers have said if Napoleon had deposed Ferdinand as the British did the king of Candy, and in like manner carried off the crown and regalia? What a difference is there between *meum and tuum*?]

Scotland. A battle, with *fire arms*, took place between a small party of the radicals and a detachment of troops, between Kilsyth and Sterling. Two or three of the former were killed and several of them, as well as of the soldiers, wounded. The radicals were defeated, and nearly 20 of them made prisoners. Various military movements of the disaffected are spoken of—it is said that they are drilled at night. There was a great riot at Greenock on the 7th of April—the people attacked the troops as they were carrying some prisoners to jail, and pelted them severely with stones. The mob was fired upon, and 9 of them killed and as many severely wounded. But it generally appears that the disposition to revolt was subsiding at Paisley, &c. *Many thousands*, however, were said to be out in arms on the 5th of April, and the ministerial papers seem to be very uneasy about the appearances of things.

FRANCE.

A letter from Paris mentions that a new mode of posting up incendiary papers had been discovered in France, by the detection of a man in the act. He carried a little boy in a box like the magic lantern, and while he leaned against the wall, as if to rest himself, the little boy drew back a slider, pasted on

the paper, and shut himself up again; the man taking occasion to walk off to another resting place.

The editors of five Paris papers have been summoned for publishing that a committee of assurance was established in favor of the victims of arbitrary imprisonment.

Liberty of the press. Paris, April 5. The following circular letter has been this day received by the proprietors of the different gazettes:

Monsieur—I have the honor to inform you that the commission of censors, created by an ordinance of his majesty, under date of the 1st of this month, has established its office at N. 13, Rue de St. Pierre, and that it will be open every day from 12 to 3 o'clock, and in the evening from 8 to 10.

I invite you, in consequence, to be so good as to address to the commission, within the hours named above, and to commence this day, every article which is intended to enter into the composition of your journal, and which, conformably to the law of the 31st ult., must be submitted to its examination. The official bulletin of the sittings of the chamber of peers and of the chamber of deputies, are alone excepted from this disposition.

I have the honor to be, with perfect consideration, sir, your most humble and most obedient servant,

The secretary of the commission,

L. HUBERT.

London, April 12. The Paris papers of Saturday arrived yesterday. A circular has been addressed by the duke de Richelieu to the lieutenant-generals commanding military divisions, the procureurs general of the king in the courts royales, and the prefects of departments, calling upon them to take every measure for the faithful execution of the recent laws, wherever necessary, and for the detection and frustration of machinations and conspiracies.

NAPOLEON BONAPARTE

Late accounts from the hero on the rock represent him to be in good health; but that he still refuses to suffer himself to be exhibited for a show, maintaining the dignity of a man.

SPAIN.

The London Courier, of the 17th April, announces that, ten days ago, a courier passed through that country, on his way to Washington, with fresh instructions from the new government of Spain to *gen. Vives*.

The king of Spain has taken the title of king of Spain and the Indies, according to the constitution.

All the foreign ministers at Madrid, excepting Mr. Forsyth, are yet waiting instructions from their governments, before they congratulate the king upon the change of affairs.

"The treatment which we understand that our ambassador has received from the new government in Spain, has been of such a nature that we should not be surprised to hear of his sudden return, even without the formality of taking leave of the present sovereign of that country."

Lon pap.

"Events in Spain," says the *Gazette de France*, "assume daily a more serious aspect; princes, brothers to the king, have been obliged to take the title of *citizens*. Several provinces still refuse to acknowledge the new constitution. The finances are in a deplorable state; the government has supplied itself with a little money, by confiscating the wealth of some members of the inquisition; but this resource is precarious, and the penury of the treasury will compel the adoption of general measures of which it is impossible to foresee the results."

Measures have been adopted to bring to condign punishment the real culprits in the massacre at Cadiz.

The soldiers who fired on the inhabitants of Cadiz were received with every mark of indignation, by the other soldiery, when they returned to head quarters. They were stripped of their arms and military clothing, and sent barefooted to a place of detention.

It is stated that, at the period of the late revolution, more than 300,000 Spaniards were in exile, on account of their political opinions! They have been publicly invited home.

A private letter says—"I have just heard, from a gentleman of information, that a colonel, lately liberated after four months captivity in the inquisition, mentions that a machine had been fixed to him in such a manner, that part of it, like the pendulum of a clock, should beat constantly against his forehead, so as to produce his death slowly.

All the monasteries are to be abolished except a limited number, and these are to be confined to peculiar orders. Much of their property is to pass into the national funds. The army, from about 200,000 men, is to be reduced to 30,000. The king, hitherto, was arbitrary, and took what money he pleased, if he could get it; he is to have a fixed revenue of 40,000,000 reals. It is reported, that since 1815, he has deposited large sums in England. The salary of the ambassador at London is fixed at 30,000 dollars. A crowd of people surrounded the palace and demanded the head of the duke of Alagon, an infamous character; but he made his escape and fled the country. The duke of Montego, another of the king's favorites, is banished. The national cockade is red and green, about the size of a dollar, put over the usual Spanish cockade. It appears that the patriot army will not be separated until the cortes shall direct it, maintaining its position at Isla. Quiroga, Riego, Arco and Agüero, chiefs of the revolutionary army, have been brevetted field marshals. Gen. Blake is president of the council of state; and the most illustrious Spaniards are now in power throughout the kingdom. The people of Valencia were demanding the head of the infamous general Elio, who had shut himself up in the citadel. *The property of the inquisition has been confiscated.* The bishop of Cadiz, and others, have been imprisoned, as instigators of the late massacre in that city. Freyre escaped, and was yet at large.

The people of Catalonia poured forth all their fury on the building or palace of the inquisition at Barcelona: they sacked it, and rendered it forever uninhabitable. "The sight of its subterraneous prisons excited a profound indignation. It was hard to believe that the priests had had the cruelty to bury human beings alive in these damp caverns, deprived at once of light and air! The comedian Pinto, so estimable for his personal character, groaned there for two years; his nearest friends could hardly recognize him, so greatly was he disfigured—He was formerly robust and corpulent. He came out from the dungeon so meagre and so reduced that he was hardly the same man. All the prisoners are in general, as it were, overcome with their new existence—The light of day dazzles and blinds them: they cannot support it, and their mental faculties are impaired also—Much time and care will be required to restore them to complete health."

The inquisitors fled, else they would have been sacrificed by the people—their horrible records, for three hundred years past, were thrown into the

street and carried off by the populace, developing many terrific transactions. At Granada also, the dungeons of the inquisition were opened by force, and the "holy office" destroyed. That at Barcelona is to be razed to the ground, and the place on which it stood will be solemnly consecrated to Quiroga.

The Madrid Gazette of March 30, contains the following decree by Ferdinand:—

"As the constitution to which I have sworn, is the fundamental law which rules the rights and duties of Spaniards towards the throne and nation—considering that those who refuse to recognise the law of the land, thereby renounce the protection which it grants them, and the advantages which society acknowledges, as also the privilege of living in the territory of the country, I declare, conformably to the decrees of the general and extraordinary cortes of Aug. 17, 1812, that every Spaniard who refuses to acknowledge the political constitution of the monarchy, or who, in swearing to it, does so with restrictions contrary to the spirit of this charter, is unworthy of being regarded as such; that he be legally deprived of honorary distinctions, civil or military employ, emoluments and prerogatives, and separated from the territory of the monarchy; and if he be an ecclesiastic, he shall be deprived of his living. I enjoin, under the strictest responsibility, on all the political chiefs and other constitutional authorities, the execution of this my decree.

"Given at the palace, March 26, 1820."

PORTUGAL.

It is now said that every thing is quiet in Portugal, and that the news of the Spanish revolution had not caused any excitement among the people.

ITALY.

The rumours of a threatened revolution in Italy are renewed.

A London paper mentions the discovery of a plot among the galley slaves (about 1500) at Civita Vecchia, to regain their liberty, which was on the point of being attempted when exposed by one concerned, in the hope of reward. They had purposed, after getting their own freedom, essaying to effect a revolution in Rome, by liberating all persons confined in the prisons and engaging the lower class of the people in their views.

SWEDEN.

The population of Sweden, as ascertained in 1818, amounted to 2,543,412 souls—of whom there were 71,792 in Stockholm.

RUSSIA.

A war between Russia and the Ottoman Porte is spoken of. Alexander has a powerful army of 800,000 men at his disposal; and the present is considered a favorable moment to accomplish the views of his grandfather.

The following is extracted from the Paris *Constitutionnel*:

"A very important diplomatic note from Russia is spoken of, which declares, that that power will consider any armed intervention of one state, in the internal affairs of another, as an hostility against herself."

EAST INDIES.

The chief settlement or rendezvous of the Arab pirates, in the gulf of Persia, has been destroyed by a British force from Bombay.

WEST INDIES.

A Spanish sloop of war recently arrived at the Havana from Vera Cruz, with 400,000 dollars in specie on board. The constitution of the cortes has been proclaimed with great rejoicings at Porto Rico.

We have a very long and splendid account of the proceedings which took place at Havana, on changing the royal to the constitutional government. "Live the constitution, live Quiroga!"—"live the nation, down with superstition and hypocrisy," was the almost unanimous cry of the people, as well as of the military. The Franciscan monks, who, on the return of Ferdinand, caused the constitution to be religiously burned, had to perform a most unpleasant task—they were compelled to ring all the bells of the convent, the whole night through, for joy! Interested as we are in the fate of Cuba, the details are of considerable importance, as shewing the feelings that prevail in this invaluable island; and as confirming what we have asserted, on good authority, as to the prospect of its independence.

The common Spanish benediction, "may you live a thousand years," seems to have been much enlarged on this occasion: The governor began his proclamation thus—"May the constitution, and the king who has sworn to it, live for one thousand centuries!"

SOUTH AMERICA.

The news of the revolution in Spain had reached Caraccas, but no change in the government had taken place. The expedition which lately left Margaritta, is said to have been severely defeated near Maracaybo.

A late London paper says—"The provisional junta at Madrid are on the point of sending commissioners to South America, to treat upon terms of accommodation."

CHRONICLE.

Charles Tail, formerly a senator in congress from the state of Georgia, has been appointed, by the president and senate, to be district judge for the district of Alabama.

John Mullony, late a captain in the U. S. navy, has been appointed by the president, with the consent of the senate, United States' consul at Tangier, in the kingdom of Morocco, vice James Simpson, deceased.

[An annual salary of 2,000 dollars, is by law attached to this consulship.]

Altered notes of the Farmers' bank of Virginia, payable at the offices, are in circulation in that state. The denomination is changed from five to fifty, and exceedingly well done, but easily detected by a reference to the vignettes, &c. Besides, the figures 50 are wanting at the foot in the altered ones.

The navy. Commodore Stewart has been appointed a commissioner of the navy, vice Decatur, deceased. Commodores Rodgers and Porter have recently visited Norfolk.

West Point cadets. It is stated that the corps of cadets at West Point, will shortly march for Washington city, merely on a tour of duty.

Colonization. We learn that the ship *Elizabeth*, sent out by the colonization society of this city, with people of color, and all kinds of implements of husbandry, for the purpose of making a settlement in Africa, arrived at Sierra Leone, in the remarkable short passage of 36 days, all well. After waiting there about a week, and the Cyane, her convoy, not arriving, she proceeded down the coast to Sherbro, the place given them by one of the African kings to make their settlement on—Three days after the *Elizabeth* left Sierra Leone, the Cy

ane also arrived at that port, and, after stopping two or three days, followed on. *N. Y. E. Post.*

Maine. The Hallowell and Augusta bank refuses payment of its bills. Those of Wiscasset and Castine are also said to have stopped. They appear to have been severely run upon; but a hope is expressed, that their embarrassments are temporary. Yet their bills are at about 50 per cent. discount!

Election statistics.—The whole number of votes given in at the late election of senators, was as follows:

York county,	10,357
Cumberland,	11,630
Lincoln,	12,616
Kennebec,	10,013
Hancock,	5,287
Washington,	1,359
Oxford,	4,608
Somerset,	3,752
Penobscot,	1,286

Green Bay. 200 U. S. troops have embarked at Sackett's Harbor, for Niagara, on their way to the fort at Green bay, on lake Michigan.

Connecticut. Elijah Boardman, Esq. is elected senator from the state of Connecticut, in the congress of the United States, in the place of Samuel W. Dana, Esq. whose term of service expires.

Missouri. The last papers received from this territory shew us that the great question, whether the further introduction of slaves shall be prohibited or not, by the constitution now about to be formed, most seriously occupies the public attention. The result appears to be doubtful.

Pirates. Three persons are condemned to be executed at Boston on the 15th of June, as pirates and felons. Four were hung for similar offences at Charleston, on the 12th instant, and the additional crime of murder. Six persons have been executed at Malta, for piracies in the Mediterranean. Eighteen were to be hung at New-Orleans on the 25th instant, unless reprieved. Other executions may be looked for at other places. One of those hung at Charleston, in his address to the people, denied that he ever had been guilty of the crime of murder; but admitted that he had, with others, been deluded into a service which eventuated in piracy, for which he was about to pay the forfeit of his life; while thousands who projected the scheme, were now walking at large in the country with impunity.

Arkansas. The Arkansas Gazette of April 1, announces the arrival at that village of the steam-boat Comet, in 8 days from New-Orleans, being the first steam-boat that ever ascended the Arkansas river. It also states that emigration had begun to have a considerable current to the territory; and informs us that a war was likely to break out between the Osages and Cherokees—three people of the latter tribe having been murdered by some of the former.

Good and bad. An inexhaustible source of pure white sand, suitable for the manufacture of flint glass, has lately been discovered in the towns of Woodbury and Middlebury, in the state of Connecticut; and a petition is now before the legislature of that state, for an act granting to the proprietors thereof corporate privileges for carrying on the manufacture of flint glass.

It is good that this material has been discovered, but bad that a nether corporation is thought of.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We present our readers with a rich treat in the speech of Mr. BALDWIN, chairman of the committee of manufactures, on the tariff, communicated for this paper. We are really anxious to see in what manner its arguments were answered. The importance of the speech affords a sufficient apology for the want of variety in this sheet.

The Lexington, Ky. *Public Advertiser*, is clothed in mourning on account of the death of the tariff bill, which the editor says was "murdered" in the senate by a majority of one vote! Adding—"Mourn, oh, ye sons and daughters of Kentucky—Oh, ye inhabitants of the United States, put on sackcloth and ashes, for the great enemy of your independence has prevailed. You must still remain tributary to the workshops of Europe. Your factories must remain prostrate. Your agricultural productions must lie and rot on your hands."

☞ We offer to the mourner this homely consolation—that, if the sufferings of the country and the wants of the treasury, shall not compel congress, at their next session, to do something in favor of a home-market for the products of agriculture, and to find employment for the laboring capacity of the people of the United States—the congress which shall be chosen after the next census will do all that is necessary to rescue the nation from its present poverty and distress, so far as these are to be relieved by an attention to domestic industry.

The infamous trade. Ten slave vessels had been captured by the United States' ship Cyane, capt. Trenchard; but six of them were so well secured by false papers and false oaths, that he was compelled to let them go; the other four have been sent to New-York for adjudication, as being American property, where they have arrived. The British brig Thistle has also captured three vessels, with full cargoes of slaves, said to belong to Bristol, R. I. and sent them to Sierra Leone. Further particulars and remarks in our next.

Banking. The "Southern Patriot" informs us, that the office of the bank of the United States at Savannah, has protested the notes of the local banks of that city, to a considerable amount. The state banks are said to be in good condition, "overflowing with specie," yet they would not either liquidate the debts which they owed to the office nor pay interest on the balances due to it. But this is only one side of the story. We shall hear more of it before long.

Buenos Ayres, &c. We have some interesting accounts from this country, together with a copy of a convention signed by Manuel Sarate, governor of Buenos Ayres, E. Lopez, governor of Santa Fe, and F. Ramirez, governor of Entre Rios, for the purpose of terminating the civil war,—but we have not room to insert these things at length just now. Artigas is not immediately a party to this convention, but Ramirez is understood to act under private instructions from him. The following summary, communicated for the "Baltimore Patriot," may suffice to shew the present state and prospects of the country, which we think are good—the convention shall be published in our next.

VOL. XVIII.—18.

"The happy changes at Buenos Ayres are confirmed by recent details in letters and public papers to the 17th of March last, received in town by the late arrival at New London, Con. Mr. Sarate was elected governor of Buenos Ayres, not as a capital, but as a province; for, to the great satisfaction of the people, federation has been proclaimed. We have a printed copy of a convention to this effect, entered into by the different provinces, which contains twelve articles of a very interesting nature. A body of representatives is already sitting to carry into execution that agreement. Antonio Escalada, the father-in-law of general San Martin, is acting as one of the members of that body; the general, it is said, having withdrawn in time from assisting the criminal plans of Pueyrredon's ambition. The escape of this man to the Portuguese, with a large sum of money, and the flight of his secretary, Fagle, have been already noticed. Now we are further informed that his first clerk in the office of the secretary of state, Julian Alvarez, and also Cornelius Saavedra, colonel Juan Ramon Balcarce, Diaz Velez, and the merchant Ambrosio Lezica, who had made an immense fortune by favor and monopoly, secretly fled to the Portuguese, after attempting, on the 6th of March, a counter revolution, without success; and though a letter says justice cannot reach them in their dishonorable asylum, the truth of the old saying would be accomplished, *that treason is courted, but traitors are always despised*. All is going smooth and quiet to a settlement. The factions are no longer able to oppose with noise and violence the progress of truth, and the exertions of reason in the people. It is announced that General Carrera would have been on his way to Chili on the 20th of March, to assume an important station there, in reward for his perseverance and services.

Mr. Baldwin's speech on the Tariff.

IN THE HOUSE OF REPRESENTATIVES.

In presenting this bill to the consideration of the house, it is proper that the views of the committee of manufactures should be fully explained. The task assigned to them has been one of no ordinary interest: the subjects on which it has been their duty to act, may have an important bearing on the whole internal policy of this government; and the measures recommended are such as, in their opinion, will essentially benefit the nation. In maturing them, the committee have not (as the gentleman from Massachusetts, Mr. Fuller, seemed to think,) considered themselves a private committee, acting on the private petitions of individuals, who sought support and encouragement from government at the expense of the rest of the nation. They have not examined the petitions or statements of manufacturers, with a view of ascertaining whether their establishments are productive or losing. Their interest has not been a leading motive in our minds; it was of little importance; and if this bill, either in its general principles or its details, cannot be supported on national principles, we are willing that it should fall, and that its fate shall be ours. We have thought that this nation can never be flourishing or independent, unless it can supply from its own resources, its food, its

clothing, and the means of defence; that to be dependent on foreign nations for the articles essential for these purposes, is inconsistent with true policy—and that the system which has entailed on us this dependence, must be radically changed. In a matter which involved so many interests, we found many embarrassments; among not the least of them, those which arose from the duties assigned to the different committees of this house. The committee of manufactures was a new one; its powers and duties were undefined by any rule; the various subjects referred to them related as well to the revenue and commerce of the country, as its manufactures. It was our wish that each committee should act on its appropriate subjects, not to encroach on the jurisdiction of either. It was our first intention to have reported a bill which should have related only to the manufactures of the country. But the house will recollect that, at a very early period of the session, a resolution was passed calling on the secretary of the treasury to report the effect on the revenue of a prohibition of wools, cottons and iron; that his reply was, that an increase of duty on those articles would impair the revenue and tend to introduce smuggling. This was a subject on which we knew the house was sensitive,—a deficit in the receipts of this year of five millions, had been officially announced by the treasury. The committee of ways and means had reported no bill, had recommended no means of filling the treasury, and to our repeated calls had answered that none would be adopted by them. You now find that the result of all their deliberations has ended in the bill now on your table, authorising a loan of four millions; two directly, and two from the sinking fund, to meet the ordinary expenses of the year. I did not approve of the resolution which had thus called on the secretary of the treasury to take a part in this great national controversy, and thought it not right in gentlemen to call in the influence of that department against a large portion of the nation, struggling against what they conceived to be the indifference of our own and the efforts of foreign governments. To have framed a bill confined to the sole object of promoting the manufactures of this nation, by imposing a high duty on those of others, the effect of which would have been still further to diminish a revenue already incompetent to our ordinary expenses, would have thrown us in the way of the very difficulty which gentlemen had so early foreseen, so carefully provided. The cry of revenue, the treasury, and smuggling, would have effectually defeated all our projects. There was no other committee disposed to act in concert with us. Left thus alone, the treasury report against an increase of duties; the treasury itself empty; the committee of ways and means unwilling to assist in filling it; and yet called upon by the petitions of thousands of individuals to do something to protect the industry of the nation, the committee had no alternative but to abandon, subject to certain destruction, the great interest confided to their care, or to go the extent of their jurisdiction, and report a system which, while it would not injure the commerce, should aid the revenue and save the manufacturers of our country. In recommending a general revision of the existing tariff, we are sensible of being exposed to the imputation of encroaching on the province of other committees; but as they have declined or refused to act, I hope no objections on this score will come from them. From the house I anticipate none—confident in the hope that they will enquire, not so much from what

committee this bill emanated, as whether its provisions will promote the general welfare. And if, in the opinion of the house, this measure is called for by the distresses of the country—if it will tend to their relief, and to restore the nation to its former prosperity; if it is essential that such encouragement should ever be given to national industry as will enable us to supply the articles of our own consumption—you have the authority of the secretary of the treasury for saying that this is the proper time. In his annual report on the finances, he tells you this in the most explicit language; he tells you, too, that your present revenue is insufficient; you must increase it or diminish your expenditure. This is a time of profound peace, when our expenses are those only of an ordinary peace establishment; no national calamity has befallen us—yet a loan is necessary for the present year, and a larger one will be required for the next. When a system of revenue has thus completely failed, and from the operation of plain and natural causes, when we cannot flatter ourselves that, in the present state of the world, it can become better, but are certain that it must become worse, it is time to look to our situation and retrace our error. It is an unpleasant duty in any committee to be obliged to examine existing systems and recommend a change; but it will be at once perceived that the nation which relies for the means of paying its expenses solely on imposts, must encourage the importation and not the manufacture of its articles of consumption. While this is its policy, its internal industry must be confined to articles of export, to pay for foreign fabrics which are imported. With importations, revenue must diminish; and this has been the reason why all attempts to promote our own manufactures have hitherto failed. Now the system must be changed; you must either make perpetual loans, or open new sources of revenue, by giving a new turn to the labor of the nation. At all events, I beg gentlemen to consider that, to me, the danger to the treasury is no answer to this bill; if it is empty, it is not my fault. Two short years since, I was in a proud minority of five that opposed the repeal of those taxes which, if continued, would have given you an abundant revenue. If, in their abolition, the encouragement of manufactures has been retarded, let no inconsistency be charged upon me; if the system has failed, it is not because it has not had its full and fair operation, but because it is inconsistent with the present situation of this country and Europe. You may resort to temporary expédients; but the people of this country will not consent to a continual accumulation of debt, in order to protract a system which can alone heal the general distress. What must be done should be done soon. The able and intelligent officer at the head of your finances, tells you this is the time; and I tell you, that you may as well avoid the approaches of old age or the stroke of death, as a change in your financial system. You must not wait till the voice of the people calls for it in language which you cannot resist, and when the revulsion will be so sudden as to shake to its foundation the system to which gentlemen now cling so eagerly. If this miserable system of impost, as the exclusive source of revenue, is necessary for the support of commerce—if the internal industry of the country is to be checked and protracted till public opinion demands the change—let gentlemen beware lest all parts of the system go together. Those who now complain that the committee of manufactures propose too much, will, when that day arrives, (and come it must) re-

gret the rejection of this bill, which proposes a change—gradual, but necessary for the prosperity of the country. In proposing it, the committee are aware that from one side of the house we shall be assailed with the cry of—you will ruin commerce; from the other, agriculture; and from all, smuggling and revenue. In telling us that commerce supports the government and furnishes its revenues, gentlemen must not deceive themselves in thinking that the people of this country do not know that the consumer of foreign goods, and not the foreigner or importer, pays the impost. The consumption of foreign produce, and not its importation, is the source of the revenue; a kind of taxation the more oppressive on the people, because by employing the merchant or collector, the consumer pays not only the amount of duties, but the accumulated profits of all the merchants through whose hands the article passes, from the custom house to the consumer. If the committee are censured for speaking thus plainly of a system on which this government has hitherto rested for its support, the house must recollect that at its organization, impost was only one, not the exclusive source of revenue. As soon as the debts of the revolution were assumed by the new congress, a system of excise and internal taxation was resorted to, as a permanent means of paying the interest of the national debt. During the administration of general Washington and his immediate successor, an excise on spirits, snuff and snuff mills, duties on refined sugar, licenses to retailers, carriages, auctions, and a stamp act and land tax, were imposed. Let it not be forgotten that in the preamble to the act for laying an impost, the encouragement of domestic manufactures was one of the avowed objects of the law. This was the revenue system of the founders of our government. We do not attack, but rest upon it; it is the only one on which this nation can rely for permanent protection in a time of European peace; we must recur to it, unless another great convulsion should again derange all the institutions of the civilized world. The policy of this government was changed, not because it was found unwise, but because the continuance of the war in Europe rendered it unnecessary. Then other nations wanted our provisions; their price was such that the labor of this country was diverted from its natural course. Instead of making, we imported the articles of common consumption. The impost was found sufficient for all our wants. But, in the change of events, Europe can now feed herself, and can compete with us in other markets for our provisions: Those nations from whom we import the most, now refuse to receive our produce at any price. Thus there has been a radical change in those relations with other nations, which gave the turn to our national industry. A wise legislature will and must shape its internal policy to meet the changes which make a revision necessary. The present is not a forced, but the natural and settled state of this country. The events of the last thirty years have been unparalleled in history—we must not expect their recurrence at least in our time. It requires no reasoning to prove that measures calculated on a general war in Europe, will not suit a general state of peace;—they must and will be controlled by circumstances. We must look to facts, and profit by experience. Effects will flow from causes; they cannot be averted or avoided; we must meet them sooner or later. It is best not to attempt to conceal from ourselves or the nation, the necessity of coming back to the original system on which this government first commenced its

operations. In proposing the measures which the committee have reported, we have thought it best to avow the intention to be such a change in our internal policy, as will gradually lead the people of this country to be independent of any other for the essential articles of subsistence and the means of defence. We well know it is a thankless, ungracious task. The manufacturers complain that too little, the merchants that every thing, and I well know that here it is thought that too much, has been done. These measures have caused much excitement. This is not the time to expect that justice will be done to our motives. But the committee have this,—and it is no small satisfaction, that though they have not pleased others, they have pleased themselves. Their system has been matured with much pains, and with the most anxious desire to relieve alike all the suffering interests of the country. How far this bill is so calculated the house will judge, from an examination and comparison with the existing tariff, which I will now explain, begging that gentlemen will not forget one thing—that the present tariff was a revenue bill, reported by the committee of ways and means, more to aid the treasury than to protect the industry of the country. The report of Mr. Dallas was strongly in favor of domestic manufactures; yet, in that of the committee of ways and means, it is remarkable that the word manufactures is not mentioned. I presume that the gentleman from South Carolina, who was then the chairman of that committee, had then the same opinion on this subject that he now entertains. When gentlemen complain of the extravagant protection that this bill affords to national industry, they are, perhaps, not aware that in general it exceeds but in a small degree that recommended in 1816, from the treasury—almost exclusively for revenue. They must not think it strange if a committee of manufactures, combining this with other great national objects, should have felt it their duty to propose some changes necessary to meet the calls of the country.

The bill proposes—

A duty of 12½ per cent. ad valorem on the articles enumerated in the first class, and 20 per cent. on all not enumerated, which embrace many manufactures, but which it was thought best not to particularize. In the present tariff these were at 7½ and 15 per cent. The committee could discern no good reason for leaving them at this low rate of duty, and were abundantly convinced that, for the double purpose of revenue and manufactures, the proposed rates were proper. It would be going too much in detail to trace the various rates of ad valorem duties from 1789, to 1804. In that year they were permanently fixed at 12½, 15 and 20; with the addition of the Mediterranean fund, they were 15, 17½ and 22½—and continued so during the most prosperous period of our commerce and revenue, till in 1812, when the permanent duties were doubled, making 27½, 32½ and 42½. They continued so until 1815, after the peace, when the Mediterranean fund ceased, and the duties remained till July, 1816, at the rates of 25, 30 and 40 per cent. ad valorem. Had they remained so, you would not have been assailed by general cries of distress from all parts of the nation; we should have enjoyed, not a nominal but a real independence; our resources would not have been sent abroad to protect and reward the industry of others, to the ruin of our own merchants, manufacturers and farmers. But it was thought proper to reduce the duties, and the fear of smuggling, it seems, is assigned as the reason. I am not enough acquainted with the mysteries of commerce to know

what is the smuggling point. Gentlemen may talk about it as they please, there is no evidence that our duties have ever been so high that there has been smuggling to any great extent. From 1804 to 1812, the lowest rate of duties was 12½ per cent.—we heard no complaints of smuggling then; during the year 1815 and the first six months of 1816, the lowest duty was 25 per cent. The importation of *ad valorem* articles in 1815, amounted to eighty-six millions of dollars, and gentlemen are called on for the proof of smuggling. They must give reasons better, than the mere suggestion of this danger, against this small increase of duties; which is, in effect, only coming back to the old rates before the war. We are not to be deterred by threats of this kind; and, judging from experience, have no fears that an increase of duties, even to the war rates, would produce this effect: but if there was danger, it is no argument to us to be told that this government is unable to enforce measures which are adopted as necessary to the general welfare. We are not so weak, our laws are not so insufficient; the rates proposed have been collected, and they can and will be collected if enacted. When the danger becomes realized, it will be time to apply the remedy. While it is merely fanciful, and, as I believe, held out to defeat the salutary provisions of this bill, I shall not deem it worthy of further notice. The next rate of duty is 25 per cent.—in the present tariff these articles are rated at 20, but in the bill reported by the committee of ways and means, they were recommended at 22. I hope it will not be thought extravagant that we propose an addition of 3 per cent. Articles of copper are at present at 25 per cent. One expression is changed which will be found to apply to most of the *ad valorem* articles in this bill—in the old tariff it is “material of chief value;” this creates great difficulty at the custom-house, where an article is composed of materials paying a different rate of duty; it is generally entered as made of that which pays lowest—thus defrauding the revenue and injuring the manufacturer. To avoid this, the committee have adopted the expression “component material,” so that any article composed of mixed materials pays the duty of the highest. The house will observe that there is in this clause a drawback of the duties on sheet copper, used in building or repairing ships—in the present tariff “copper and brass in pigs, bars or plates, suited to the sheathing of ships,” is duty free. Under this clause all sheet brass and copper imported, for whatever purpose, is embraced, to the great injury of one class of manufactures, and the diminution of the revenue. While the committee are fully disposed to protect that most noble manufacture, a ship, they are unwilling that any other advantage should be taken of a provision intended solely for this purpose. It is believed that this object is fully answered by the proposed drawback. It has been submitted to intelligent and experienced merchants, and no objections have occurred. While on this subject, I must notice some publications in which the committee are charged with hostility to commerce and ship-building, in raising the duty on sheathing copper and sail duck. The best answer to the charge is, that it is not true; in fact this bill proposes no change on either; the duck is an important article of manufacture, for which we ought not to be dependent on any other nation, and which ought to be encouraged; yet the committee were unwilling to interfere with it. We expect much abuse and have received no little; but let me give one word of advice to those inclined to bestow it so liberally—read before you write.

The next clause proposes a duty of 33 per cent. on woollens. In Mr. Dallas' tariff it was proposed at 28. On cottons, of 33—the same as proposed by him. Both are now at 25. These being among the most important items in the bill, the house must indulge me in going fully into the reasons which have induced the committee to propose the additional duty. It would seem almost unnecessary to convince this house, that the interest of the nation required that it should clothe itself; that it ought to feed itself, will not be denied—yet food is not more necessary than raiment; and I cannot see how any people can be independent who must look abroad for that. At all events, the committee have thought that, in bottoming this bill on this national principle, that we ought to feed, clothe, and be able to defend ourselves, we placed it on ground that could not easily be shaken. Our motives rise higher than the interest of manufacturers; whether they make or lose money now—whether this bill tends to enrich one or another, or all classes of society, has scarcely entered into our consideration. The nation must command its own consumption, its own means of defence. The last war found us destitute. I beg the house to remember what the gentleman from Kentucky told us the other day—that our gallant soldiers were destitute of clothing, until the government connived at smuggling, to procure cloth from the nation with whom were contending. National feeling, if not interest, should forbid the recurrence of such a scene—it shall not be charged on the committee of manufactures. If it was right in 1816 to impose a duty of 25 per cent. on woollens and cottons, principally with a view to revenue, there will be found a strong reason for its increase in the duties now imposed by the British government, of six pence sterling on every pound of wool, and six per cent. *ad valorem* on cotton wool, imported after the 5th January, 1820. Wool has been an article of export from this country to England. The new duty excludes it—the ports are now shut against your provisions, they will not permit its importation till the price of wheat is 10 shillings sterling a bushel. Let those who complain so much that the agricultural interest will suffer by this bill, reflect on these facts. Let the farmer decide whether it is most for his interest to purchase his clothing from the foreign manufacturer, who will purchase neither his wool nor his provisions, or the domestic one, who will give him a market for both, in his anxiety to guard against the profits which may accrue to his neighbors and countrymen, by the success of their manufactures. Let him be sure that he falls into better hands by trusting himself to the liberality of foreigners. It is feared that there will be a monopoly and a desire of speculation, if our own countrymen can supply our demands; yet there seems to be no fear that our course of policy should give that monopoly to the British manufacturers. Hundreds, thousands of our citizens, are out of employment; they would add infinitely to the national wealth, to our independence, and save its resources at home, if their labor was employed in converting our raw materials into fabrics for our own use. But it is contended that our true policy is to employ the labor of other nations, pay them the profits of their manufactures, for the purpose of directing the industry of ours to productions which can find no market abroad, and have no value at home. These new duties imposed in England on wool and cotton, ought to awaken us to our situation; no part of the country ought to be more alive to their effects than that from which the opposition to this measure is the greatest. England does not

wish to encourage the cotton of America. She gives you unequivocal indications of her policy. She will take it till her colonies can furnish her supplies. Though her best customer, though she now depends on us for the raw material to support her manufactures, she takes wool from the continent, cotton from us—but imposes heavy import duties, *which are paid by us who consume the manufactured articles*. We thus furnish her government with revenue, her laborers with employment, while ours are idle. I am afraid we are not aware of the bold and dangerous experiment we are trying. We are now to decide on the course of internal policy which shall best develop the resources, promote the industry and secure the independence of our country. Is there not some danger of our erring, by adopting the system which best accords with the views of the British government? If it were submitted to them to choose a set of measures for us which would best promote their interest, we well know it would be such as would secure to their merchants, manufacturers and mechanics, the supply of all our articles of consumption and defence; to give to them the employment of the labor and the profits of converting the raw materials into fabrics for us. It is the source of their national greatness; the great object to which all their efforts are directed—their policy is most unyielding and unbending. It has existed for ages, and been completed by a steady and uniform series of legislation; they have not left things to “regulate themselves”—this has not been, it will not be, their maxim; but they wish to see it adopted by those who are to be the dupes of their policy. What is sound political economy there, is, it seems, here the raving of madness, the result of empiricism; yet it would excite some sensation in this house, if the ministers of England should formally present us with a plan for our adoption; we should, at least, enquire whether it was the result of their friendship to us, and whether it would not be as safe to trust to the opinion and advice of our own statesmen. To import only our raw materials and provisions, to be our exclusive merchants and carriers, was their colonial policy before the revolution. The great men whose wisdom carried us through that struggle, did not then think that the system of internal policy, which was best calculated to secure our independence and to coerce England to respect our rights, was to afford employment to her citizens, encouragement to her artificers, to the impoverishment of our own. The immortal congress of 1774, entered into an agreement not to export any produce to England, to import no goods from that country, to consume none made there—and denounced, as enemies to American liberty, any person who would violate this agreement. It has never been charged on Bonaparte that he was deficient in foresight, or did not understand the mode of attacking his enemy. His continental system was not aimed at the influence or political power of England, but against her manufactures. That he knew to be the source of her power and there he attacked her. To save them, England fought and subsidized all Europe. There has been a strange revolution in the moral world, if the connection between causes and effects is now dissolved—if the measures which, in 1774, were necessary to secure, would now be destructive of the great interests of this nation. We have been taught to look with veneration to that congress—it is, indeed, a change when we forget their maxims—and, in contending with the same nation for the same rights, reject and spurn their principles as wild and ruinous, anxious to

adopt those recommended by the ministry and political economists of England. This is, at all events, a dangerous experiment—before we trust too much on it, we ought to be sure that the solid interest of this country, and not its destruction, is their governing principle. It will be said that more liberal ideas are now adopted by other nations, that the principles of political economy are now better understood. France has been mentioned; but when her tariff is examined, it will be found to be more rigid—to contain more prohibitions, than that of England. As to us, it contains some provisions which, I think, cannot fail to alarm the agriculturists—the cotton planters of this country. It is worthy the attention of the house to look at their import duties on cotton wool:

From India	30	fra. per 100	hills.—3	dis. per cwt
other countries, out Europe	40			
Entrepôts	50	per cwt.	5	“
Turkey	15		1	50 “
French colonies	10		1	“

This short item contains much information and instruction. Their whole tariff breathes against your agriculture and commerce a spirit of hostility as unequivocal as any regulation of England—as to cotton, more so; it is a duty of four dollars per 100 pounds—equal to 20 per cent. ad valorem, on the raw material, while England imposes only 6:—that it is aimed at this country is evident from its being \$2 50 per 100 lb. more than on cotton from Turkey, and \$1 00 more than from India. If it is a reason why the cotton of Turkey should be preferred on account of the profits of her trade, it cannot extend to India—to which they export little—but ought to bear lightly on us, as we are one of the best customers of France for her wines, brandy, silks, cotton and small wares. She requires our cotton now, but this duty is an earnest of what you may expect from her when she can procure a supply from her colonies or other countries.—She receives your tobacco, but takes care to exclude us from all chance of a competition in the market, by compelling a sale to the government—who buy at their own price. Rice, from India, pays \$1 per 100—from America \$2. Thus we find the two nations, with whom our intercourse is the greatest, pursue the same policy as to our great agricultural products, the only ones they receive from us: they are enriched by the manufacture of it—we purchase immense quantities of their cottons and woollens and silks; these favors produce no relaxation on their part. Our agriculture and manufactures are now prostrate, and commerce goes next. With England it is safe, not because it can regulate itself, but because it is regulated by a convention, to the observance of which the national faith is pledged. With France we have none. Your ships are now said to be virtually excluded from their ports. This part of your commerce is now to be protected by regulations—by a bill now on your table, laying a duty of \$18 per ton on French shipping. This code, remember, is not the offspring of the age of benighted ignorance, prejudice or exploded theories, or of the man against whom all Europe combined—but in 1817, by the government which has been restored by a common struggle, existing in all the effulgence of the light which has been shed on the subject by their own and English writers on political economy, who are not regarded by the governments where they live; whose books are for exportation, not for home consumption, and now for sale in your lobby, to enlighten you on the merits of this bill. It is a matter of much regret to me to find their opinions quoted with respect here, when they are disregarded where they are known.

There is no country but this that studiously leaves her great concerns to regulate themselves. They are all guarded and preserved by regulations of the most rigorous kind. Yet it seems to be expected that, when our establishments are obliged to contend with those of other countries—the latter, aided by all the force and influence of public opinion and legislation, ours can succeed against this unequal competition, the neglect of government and public prejudice. If the nations with whom we vie would adopt the same maxims, then the industry of this country would protect itself. All that is asked is to meet regulation by regulation, and thus make the competition fair and equal. Apply to their products the same rules that they apply to ours; if they tax our raw material, tax their manufactures, to the encouragement of ours; if they exclude our provisions, exclude their products; let our legislation keep pace with theirs: then our industry will be protected, foreign nations will be compelled to observe, practically, the rule which they discard from their code but press into ours—"let things regulate themselves." I shall be satisfied with any course if it is uniform. No regulation, or regulation against regulation. If these views, or any of them, are correct, it will not be thought unreasonable that the committee have recommended an additional duty on cotton and woollens of eight per cent.—it is not so much a protecting as a countervailing duty, to counteract the new duties imposed in France and England on our cotton and wool. Had these duties existed or been known at the time of forming our present tariff, it is but reasonable to believe that the duty would have been higher. The proposed addition is certainly moderate and consistent with every principle of national interest. The minimum has not been changed. It is proper here to remark that, by estimating all cotton goods to have cost 25 cents a yard, and assessing the duty on that sum, the coarser cottons of India have been excluded; and I beg the house not to lose sight of one fact, which is admitted by all to be true, that *coarse domestic cottons are now made cheaper than they were ever imported*. The remark is equally true of nails, and every other article of which this country commands the consumption. The domestic competition will have this effect on every article. This fact ought to quiet the fears of gentlemen who affect to think that the encouragement of domestic industry tends to take from the many a bounty for the benefit of the few. Such has been the case in all other countries—those which exclude the importation of foreign fabrics, always undersell those who leave things to regulate themselves.—The experience of nations, for ages, cannot deceive us; it is, at all events, not safe to adopt theories and reject the lights of history and experience. Let us follow the course which has led other nations to greatness—it will be time to prefer theory to fact, to adopt the dreams of speculative writers, when we shall have discovered that the principles which make others rich, will impoverish us; that the path which conducts others to wealth and power, will lead us to poverty and colonial dependence. In a word, that, if we sell more than we buy, if our income exceeds our expenditure, we are ruined. That, if the farmer buys his goods from those who buy his produce, and give it a value at home which it has not abroad—he pays a bounty to the manufacturer.

It will be observed that this bill recommends an additional duty on cottons from beyond the Cape of Good Hope, of 7 per cent. and of 10 on silks.—It was done for these reasons—that the countries

whence these articles are imported consume none of our raw materials, afford no market for our produce, employ none of the labor, and exhaust the specie of the country. It is but fair that a preference should be given to the fabrics of those nations who receive from us something in return.—There was an additional reason why the committee thought it best to make this discrimination.—It is a matter of serious complaint that the duties imposed by the French government on American tonnage, have nearly destroyed our commerce with France: It is now said to be cheaper to send a cargo there in a French ship and pay freight, than in one of our's and pay none—the difference of the duties and charges is estimated at about 3,500 dollars a voyage. This is another consequence of the peace in Europe; every nation is now desirous of reclaiming its own commerce, of carrying its own productions, and bringing back the articles it wants. We have had the carrying trade of the world; the protection of our flag was wanted; now every flag protects itself—the commerce of other nations will be increased at the expense of ours. Regulations which are to produce this effect cannot be called hostile or unfriendly; they result from the desire which all governments ought to feel of protecting their own interest: it is equally vain for us to expect our commerce to be what it has been as that the nations of Europe will give ours a preference to their own; (these are maxims reserved for our adoption.)—How to shape our course of legislation on this subject, is a matter of extreme difficulty. Committees of this house have different plans; a system of commercial warfare is recommended, in the hope that France will relax in hers. We have thought it safest to make an appeal, not to her fears but to her interest—to give her a peace offering by preferring hers to the fabrics of India, rather than to provoke by excluding her ships from our ports.—As it affects merely the manufactures of the country, the latter would be the course to be pursued; for if, in the prosecution of this war of legislation, she should exclude our cotton, the raisers of it will join us in creating a market at home. In thus recommending the measure which is opposed to the interest of those for whose exclusive benefit the committee are said to be acting, we hope to avoid the imputation of hostility to commerce. The navigation acts on your table are bold measures, designed to compel the two most powerful nations of Europe to give up their favorite systems of commercial and colonial policy, not the expedients of yesterday or the moment, but settled, matured, and acted on for more than a century—which have entered into all their favorite plans of commercial and naval greatness. In such a contest there is much risk; if these measures produce the desired effect, I shall not be among the last to rejoice: but if they fail—if, instead of saving they destroy your commerce, of producing a relaxation, they only add rigor to the regulations they are intended to counteract, it shall not be charged on the committee of manufactures that it was a part of their system. Had these navigation acts emanated from us, I well know the clamor which would have been excited; as they have come from the commercial committee, they will be hailed by the mercantile interest as the means of restoring commerce, and I hope they may prove so; but having a different opinion, fearful that this measure would recoil upon us, destroying what it was intended to save, we have inserted this feature in the bill. A duty of 25 per cent. is proposed on linen and a minimum of 25 cents. The rate proposed by the com-

mittee of ways and means in 1816, was 20—it was fixed at 15: This is one of the most important items of domestic consumption—flax, the raw material, raised in all parts of the country, is not an article of export to any extent—linen is one of the most favored manufactures of England, it pays no excise for home consumption,—and the government pays a custom house bounty of 25 per cent. (on coarse fabrics) when exported. Woolens and plain cottons receive none—the duty on them therefore operates for the double purpose of revenue and a preference of ours over the imported article. But as to linen, the present duty only operates as a tax on our own consumption, being 10 per cent. less than the British export bounty—affording, contrary to all principles of a wise policy, a decided preference for the foreign manufacture. It is impossible to imagine any sound reason for leaving this most important article so wholly unprotected. In the present tariff, if the committee have erred, it is in not proposing a still higher rate of duty—on coarse linen it only equals the bounty; and then, so far as respects the competition with our fabrics, makes it duty free—on the finer, it has some small operation as a protecting duty. This increase of duty on linen has caused much complaint. The house will now judge with what reason this bill is called an extravagant one. The other objections, when examined, will be found to have no more foundation than this.

The next clause proposes a duty of 30 per cent. on silk from India, 20 from other places—it now pays 15. No good reason could be discovered for so low a rate—it is an article used mostly by the rich; there is less danger of smuggling than on most others—it is imported only in large and valuable ships; and, if from India, is allowed to be landed only in specified ports. A very intelligent merchant from Boston, recommended a duty of 33 per cent. on all kinds, from every country alike; there will probably be no objection to the proposed increase. Raw silk is made duty free in this, though in the present tariff it paid the same duty as the manufactured. Printed books are at 35, the same as proposed by Mr. Dallas in 1816—they pay 15 at present. Paper and leather—the raw materials, are now at 30; the manufactured article should be higher as it gives employment to much of the labor and a market for many of the products of the country. If imported for colleges, &c. they are duty free; if for common sale, they are a most important article of consumption, and like others should be made at home; if for mere amusement or works of taste, they are fair subjects of revenue: none can better afford to pay taxes than men of leisure and wealth. If any gentleman thinks a discrimination ought to be made so as to impose a lower rate of duty on works of science and mere literature, there will be no objection. The other items in this clause are generally at 35 per cent—the same as recommended by Mr. Dallas, and in the present tariff are rated 30. The house will thus perceive that on articles paying an ad valorem duty the proposed increase is generally from 5 to 10 per cent. If the only protection offered by this bill to the national industry consisted in the mere rate of duties, they will be found not to come up to what are generally called protecting, but would be justified for the mere purpose of revenue. The committee were sensible that if all the protection necessary was in the imposition of high duties, that the cry of extravagance and smuggling might defeat their measures. They have thought the object could be better accomplished by adding such provisions to the bill as

would effectually secure the collection of the duties imposed, and so to apportion them as to produce not only revenue by the consumption, but be, in some measure, a discrimination between the foreign and domestic manufacture. In this view we hope that all will concur. The mode of ascertaining the value of goods on which a duty is to be assessed, has been attended with much difficulty—an almost constant war between the merchants and the officers of the customs, and has been often changed. The original mode of ascertaining the value “at the time and place of importation,” prescribed by the act of 1790, was the fairest and most equitable, as an ad valorem duty, it was in fact what it purported to be—so much per cent. on the value. But, as a different method of valuation has long since been adopted, it was thought best not so much to alter as to modify it. The mode proposed in this bill has been pursued—but the committee are not tenacious on this point. There is, however, one feature in this clause which is deemed of infinite importance to the manufacturing interests, and which the house must indulge me with explaining. It is the addition to the valuation, of all *drawbacks, bounties, premiums and allowances*, which are paid by foreign governments on exportation, and assessing the ad valorem duty on the aggregate value thus ascertained. It is somewhat singular that our system of imports, which is avowedly for the double purpose of revenue and the protection of our own manufactures, should have overlooked this provision, which is indispensable for the latter. The house will at once perceive that if the foreign export bounty equals our import duty on the same article, the duty is only a tax on the consumption of our own citizens—the foreign article comes into the market on the same terms as the domestic; this is fully exemplified in the article of linen. The British government pay the exporter 25 per cent. bounty; ours charging the importer, 26 per cent. import duty, it thence becomes duty free. At the present duty of 15 per cent. the importer has a clear profit of 10 per cent. after paying our duty. This is, certainly, left-handed protection to manufactures. Hence it is, that, without enquiry into the cause, we are told you are unreasonable; no duties will satisfy you. The great reason why many of the present ones are incompetent is, that they are checked and rendered unavailing by this artful and masterly system of bounties and drawbacks. It is the true secret by which to account for the immense wealth and power of a nation whose population but little exceeds our own. She is too wise to trust to imposts as the sole source of revenue—commands her own consumption, draws the chief support of her government by an excise on her manufactures—they afford materials and open new sources of commerce; her system of bounties enables her artificers to undersell other nations in their own ports, while her political economists mislead us by their speculative and ruinous theories. The article of linen fully illustrates her policy.—Though her taxes and expenses are enormously oppressive on the people, yet the makers of linen pay none,—no excise on their materials or manufacture; to encourage this fabric, which unites the three great interests of agriculture, commerce and manufactures, she wisely apportions the burthens of her government so as to leave this unbarrassed. This accounts for the cheapness of the article at home, and, added to the enormous bounty on the export, gives the true reason for underselling us. Let the British abolish this system, let an article pay the same price for home consumption as

for exportation, it will then be seen there is not much difference between manufacturing here and there. One article pays an enormous excise, another none—let them be equalized and neither have an export bounty—in the aggregate it will be found that we could meet them in market, if not without any, with a small rate of protecting duty. Let cottons, woollens and linens pay the same excise as glass, beer and spirits, and cost to the consumer in this country as much as they do in England—you would be called on for little further protection to our industry. The manufacture of these articles pays no part of the expenses of their government, is burthened with no taxes—because they are the sources of their greatness, the machinery by which they draw to themselves the resources of all nations who purchase them; retaining us, their commercial, naval and political rivals, in a state of colonial vassalage. It would be right and fair to aim at once at this system, by adding to the *ad valorem* a specific duty equal to the bounty paid and drawback of excise allowed on the exportation. Then our duties might be called protecting ones, and be said to afford efficient protection to our manufactures; then the competition would be, on national and individual grounds, a fair one; but the committee, aware that this is the first attempt to introduce such a principle into our code, that it would not be prudent to attempt too much at once, only propose to consider the bounty and drawback as a part of the original cost on which the duty is to be assessed. To exemplify this—on linen a duty of twenty-five per cent. would only counteract the bounty; we recommend the addition of only one fourth of that amount. It is not to introduce a war of legislation, but in some measure to countervail the association of their system; increased duties will be imperative when they are evaded by increased bounties. I hope these principles will meet the approbation of the house; if they do not, all our laws will be vain—we had better say at once to those who want protection—“let things regulate themselves.” If it is proper to act at all, we must act efficiently; the interests of our country are assailed by an enemy deep in his designs, persevering in their execution, governed by a spirit ever awake and watchful, deterred by no opposition, subdued by no difficulties. The wisdom and the resources of a mighty empire directed to one great object, the supply of foreign nations with the articles of consumption, great as she is, we can meet her in open war, can beat her on the land, the water and in the cabinet—but succumb in legislation; become the dupes of her policy, quietly indifferent to the exhaustion of our resources, which flow to her in one constant, increasing current. Our dependence on her almost daily increasing; she exulting in the successful operations of her policy, relieved from the expense of governing us, enjoying all the benefits we could afford her as colonies. When other interests are endangered by foreign powers or regulation, you are not backward in resisting them at the risk of a war; if a ship or cargo is seized, a seaman, native or naturalized, impressed, or discriminating duties imposed on tonnage, you do not leave things to “regulate themselves;” every thing is protected, every thing defended; but manufactures—these alone are unworthy of national protection. Decrees and orders in council that embarrass commerce, are not suffered to operate unmolested; but a system of bounties and drawbacks, destructive not only of interests equally important, but in their consequences involving all in one common destruction, are practically opposed only by the fa-

vorite maxim, *leave us alone, let them regulate themselves*. I hope we shall extend it to all, or be consistent and apply it to none. We are independent in name, have the powers of self-government—but tamely content ourselves with being dependent on our rival for articles of necessity and the means of defence. We cannot clothe or arm our soldiers, build or equip a navy, without procuring from England the means. National pride and honor ought to revolt at the degrading reflection. I hope to see the day when, in full command of our consumption and means of defence, our resources retained at home, our great interests safe from foreign competition, we shall be in fact, as well as name, free and independent states. This consumption will not be brought about by folding our arms and leaving the industry of the country to regulate itself. It was not thus that, in the first Punic war, you emerged from colonial dependence; that in the second, you successfully defended your dearest national rights. Before we can be, what our resources enable us to attain, you must wage the third Punic war—not of arms, but of legislation: assail our rival where she is vulnerable, in the source of our greatest danger—her systems of bounties, drawbacks and premiums, and in her manufactures, where the congress of 1774 assailed her: go at least as far as self-defence will authorize—protect our own.

The bill proposes an additional duty on hemp of twenty dollars per ton; it was deemed necessary that for an article of the first necessity, without which we could neither build nor equip a ship, we should not be dependent, as we now are, for the supply on foreign nations. In case of a war all our naval preparations might be suspended until it could be produced here. It is so essential for national defence, that we must command enough for our own consumption. Viewed as an agricultural production, which was formerly raised in great quantities in the western states, but which has been destroyed by foreign competition, or as a manufacture, it equally deserves protection—at a time when our provisions, excluded from foreign markets, do not command a price which pays the expense of cultivation—when the agriculture of the country is as depressed as its manufactures, it needs at least so much protection as to enable it to compete with foreign productions. These reasons, it is hoped, will exempt the duty on this item from the charge of hostility to agriculture. This article now pays a duty of thirty dollars a ton, the wholesale price of which is two hundred and forty dollars—equal to twelve and an half per cent. *ad valorem*—the proposed increase will be twenty-one per cent. If considered as a manufactured article, essential for consumption and defence; it is hoped that the propriety of the increased duty will be apparent, as it can be raised to an amount far beyond the demand; the domestic competition will make the increased price on the imported article but temporary. The same apply to the additional duty on cotton, and the further one which must meet with general assent, that if the manufacturers of cotton supply the country with their fabrics, they ought to use our own raw material and not import it from India. The cotton planters must not indulge in fancied security. In 1817 the foreign cotton imported and consumed in the United States, was 1,790,000 pounds, in 1818—4,000,000, in 1819 it amounted to 6,700,000: when they find it thus increasing, and France and England imposing high duties on its importation, they ought to be awakened to the necessity of at least securing the domestic market, not trusting entirely to the

foreign. The day may not be very distant when they will find from experience that their favorite maxim of, "let us alone," will apply as little to agriculture as it now does practically to commerce.

I now come to two items on which the house will not only expect but require me to say something, *glass and iron*—one, infinitely interesting to the district, the other to the state I represent. It is best not to mince matters, but to speak plainly; this has been called a Pittsburg, a cut-glass bill, local, partial in its operations—and I have been charged with framing it from interested motives. Gentlemen had better be cautious how they use the word Pittsburg, as a name of reproach; it may be like the term whig, one of pride and not of disgrace. I tell the house frankly, that I have not lost sight of the interest of Pittsburg, and would never perjure myself if I had; but the charges shall be met plainly, and if you are not convinced that the interests of that place are identified with the nation, that *cut glass* can be defended on national grounds, then I agree, that Pittsburg, its representative, its favorite manufacture, and the tariff, may go together. I will rest the whole bill on this item, and freely admit that the increase of duty on glass, plain, *not cut*, is among the greatest proposed. In selecting articles worthy of national protection, none are more eminently deserving of it than those the raw materials of which are of no value for exportation the conversion of which, into articles for use, produces something out of nothing—turns into manufactures of the greatest value and beauty, the worthless produce of the earth—furnishes a market for the productions of the farmer, gives employment not only to laboring men, but boys who would otherwise contract habits of idleness and vice. The foreign material bears to the manufactured article the proportion of twenty-five cents to one hundred dollars; the rest is the product of our own soil—Small quantities of ashes, and lead the principal material, sand which is fit for no other purpose, not even to make mortar—stone coal, the machinery. In the days of our prosperity we have made to the amount of a quarter of a million of dollars worth in a year: it was so much money extracted from the bowels of the earth by the labor of hundreds, adding to the wealth and comfort of all within the sphere of its action. Now we make, I may say, none. Will gentlemen tell me, who has profited by the change—The farmer, the laborer, our country, or the foreign manufacturer? Plain glass now pays an impost duty of twenty per cent. it is proposed to raise it and make it specific, ten cents a pound. In England, the impost duty amounts to a prohibition—made there, it pays for home consumption, an excise of £4 18s. sterling on the 100 weight—on exportation, there is a drawback of the excise, and a *custom bounty* of one pound five shillings sterling, making in all £6 3s. equal to twenty-eight cents a pound between the price to the consumer in England and here. The custom house bounty alone amounts to near six cents a pound; and from this document, taken from the custom house in Boston, it appears that, in an invoice amounting to £129 in value, the British bounty amounts to 120 dollars, our import duty of 20 per cent. to 114, leaving a clear profit of six dollars. With the addition of the excise drawback on an invoice of 550 pounds sterling, the importer, after paying all export duties, freight, insurance, commission and all charges, makes a clear profit of 514.—Has not this article peculiar claims on us for protection? The present duty is a mere tax on the consumer; it operates as no discrimination be-

tween ours and the industry of other nations; but leaves it to struggle against the effects of a positive premium on importation. The proposed increase will not, as a protecting duty, amount to more than twenty per cent. ad valorem—on cut glass it is only proposed to add five per cent.; the duty is now thirty. I am aware of objections to the duty on plain glass, and am sorry to find them come from manufacturers, glass cutters, *not makers*, but importers of plain glass, who are not satisfied with thirty-five on cut glass, and represent plain as a raw material which ought to be duty free. In Pittsburg, it is both made and cut, and the house will judge who is most actuated by national principles, which plan adds most to the sum of national wealth, industry and resources. Gentlemen are mistaken in supposing mine an iron making—it is an iron buying, iron consuming district. The time has been when 6000 tons were purchased annually, but one of which was made in the district; but to the state of Pennsylvania it is of the utmost importance—it is her staple manufacture; to the nation the all essential article for private consumption and public defence. It ought to be less interesting to us whether it requires protection, whether the establishments for its manufacture are declining or prosperous—we can and must supply ourselves. Every part of the union abounds with the raw material, it is perfectly worthless for all other purposes; not fit for roads. The working of it not only employs much of the labor, but furnishes a market for much of the produce of our soil: these good effects are not confined to a small space. An instance of this occurs, in the fact that the iron works in the interior of our state are supplied with bacon from Kentucky. The remark is true of this as of all other manufactures, that the farmer is among those who derive the most profit from their success. It is a matter of most perfect astonishment, that so important an article should have been not only so perfectly and wantonly abandoned by the present tariff, but pointedly selected for reprobation by a strange policy—which, whilst it raised the duties on most other articles, reduced that on iron nearly 100 per cent.—From 1804 until 1815, it was at seventeen and an half per cent. and until 1816 at 15—a duty which might have saved these interesting establishments thus apparently destroyed by design: Pigs and castings in 1816, paid fifteen per cent. ad valorem; *bar iron nine dollars a ton*, equal to, say nine per cent. ad valorem; in 1818 the duties were increased to fifty cents a hundred on pigs, seventy-five on castings and bar iron: in this house it was raised to twenty dollars a ton by a majority of forty-seven, but reduced in the senate to fifteen. Had the duty been a proportionate one in 1816, a rate lower than the one now proposed would have been sufficient to have insured a domestic supply; but the reports of the treasury present us with facts which call for immediate and efficient interference. In 1818 the importation of bar iron exceeded sixteen thousand tons—in 1819 it amounted to near twenty thousand. The decrease of ad valorem importations in this year has exceeded \$19,000,000, while the increase of bar iron has been near four thousand tons. Comparing it with cotton, there are many more national reasons for its protection—the materials of one can be exported, but the other cannot: we send out of the country near \$2,000,000, annually, for an article we could make at home, and out of materials perfectly worthless in themselves. The rate of duty is not unreasonable in itself, or disproportionate to other items in this bill, or the old tariff. On the first of this month

the wholesale price of it was, according to the New York and Philadelphia prices current, from 100 to 110 dollars a ton; calculating on the price at the place of importation, the fairest mode of fixing an ad valorem duty, it would be only twenty-five per cent.; the same upon cottons and wooleens now, and eight per cent. less than is proposed—five less than on leather and paper, in the present, and ten less than is proposed in this bill on the former; considering it as an article abandoned in the former tariff. That what will restore the declining will not re-animate the dead; that, in the embarrassment and distress of the last year, the importations have rapidly increased while others diminish. I confidently hope that to affording to this a protection equal to other articles, no objection will or can be made by those who profess to be friendly to the system.

Iron is certainly an article of necessity, but not more so than clothing; it is called a raw material—we would as soon apply this term to a ball of cotton yarn or a piece of broad cloth. This word raw material is strangely misunderstood. The glass cutter calls plain glass; the iron founder, pigs; the rope-maker, hemp and flax; the copper-smith and brazier, brass and copper in sheets and still bottoms, raw materials; while the makers of these articles call them manufactures, and petition for protection. I believe the safer rule is to consider that which is taken from the earth as the raw material, and every change in its form or value, by labor, as a manufacture, equally entitled to encouragement. It is certainly true policy to afford it to every thing which can be made at home, especially when the material can never become an article of export. The extent of the protection to be regulated by the amount of importation—the deficiency of revenue supplied by an excise on the manufacture protected. The increased duty on molasses has excited much opposition and some feeling, of those who seem to consider it partial and oppressive. I must ask a candid review of the principle on which this bill has been framed, the situation in which the committee has been placed, and, with an assurance that no feelings of mine can be gratified by bearing hard on my native country, beg them to look at this item on national grounds.—Pressed with petitions from every class of manufacturers, praying for high duties on foreign articles which interfered with theirs, sensible that something ought to be done; yet beset with difficulties on all sides, unaided and alone, we were thrown on a forlorn hope. A partial, local system would have insured its own defeat—a general one might impair the revenue; to avoid that, to shape our course to meet the interests of a nation so widely extended as this—one might almost say twenty-two different nations, divided at least into great sections, some engaged almost exclusively in agriculture, some in commercial and manufacturing pursuits, and some in all—was attended with uncommon trouble. We are not disappointed in finding other motives attributed to us, but disclaim all which are not founded on the general principles avowed by us. In proposing increased duties on the various articles in this bill, there seemed few if any on which so many reasons could be brought to bear. The article is bulky, cannot be smuggled, and aids the revenue—the transportation of it from the south employs as much shipping as from the West Indies—it cannot injure commerce; still less so if you adopt the navigation act which stops the intercourse with the British islands. View it as a produce of the soil or a manufacture, it is as much en-

titled to protection as any other. This bill tends to essentially aid the manufactures of the northern and middle states; it is but fair that they should exchange them for the productions of the south; buy from their customers, their friends and countrymen. As an article of domestic consumption, it is not of much importance; to a family which consumes twenty gallons in a year, the increased duty is one dollar. The wages of one child employed in a factory, put in operation by this bill, which would otherwise be idle, would pay it in two days. If distilled, and the spirits exported, there is a drawback of the duty; if for home consumption, the fairness of the duty is at once apparent. The present duty on a gallon of the lowest proof rum is 42 cents—if distilled from molasses, it now pays 74; at the proposed rate, 15—there can be no rational reason for this great difference, when an article of consumption is made from a foreign material which can be produced at home. If the domestic product is encouraged, the spirit distilled is duty free. With these strong reasons, the committee could not overlook this article—my mind is not better satisfied with any one in the bill; we could not, with any justice to ourselves, recommend to the house a system which should not embrace, as far as practicable, the interest of all alike; it is in vain to expect the concurrence of such a body as this to any measure of partial operation. Take any one item in this bill, some part of the country will object to it; and if confined to one alone, there would be a majority against every one. Gentlemen must look to the whole, and not confine their enquiries to what bears hard on sectional interest—extend them to the benefits derived—viewed in this light, the balance will not be found against the part of the country from which the opposition to this duty principally comes. An increased duty of five cents a bushel is proposed on salt—most of the reasons which apply to others will to this article, but there are some which do so exclusively; if it is at all sound policy to command the consumption of our articles of necessity, it is emphatically so of this, which can be made any where, and for which, in a cessation of commercial intercourse, a most enormous price is imposed. It is a manufacture, the raw material of which is the ocean, the principal machinery the fire—nature does the greatest part of the labor. It is an important item of revenue. The present price in the interior is from one dollar to one dollar fifty cents per bushel; on the sea coast say 70 cents—it is said that such a duty should be laid as may tend in some measure to equalize the cost to the consumer.* The duty on spirits is not altered—it is an important source of revenue and cannot be spared—the present rate is high; the committee wished to have increased it to prohibition; but it was not in their province to substitute an excise to supply the deficit of revenue. We well know that to take, in one item, \$2,500,000 from an already exhausted treasury, would destroy the whole bill—yet I feel authorized to say that none would more cheerfully concur in the prohibition of foreign spirits, and an excise on domestic, than the committee of manufactures. It may be proper here to observe that that committee did not act on the items in the bill printed in Italics, except brown sugar and molasses; this list was furnished to us, with a view to revenue, by a gentleman whose situation brought

*The bounties on the fisheries were increased by an amendment to the bill 25 per cent. on account of the increased duty on salt.

that subject under his consideration; for any other purpose we have no anxiety to retain them.

The fourth section allows a drawback of the duty on tin and copper when made up and exported; this is a new feature in our system, but deemed necessary for the double purpose of aiding the manufactures and commerce of the country. It would have been extended to other articles, but it was thought better not to make the bill too complicated, or to go too much into detail. The foundation once laid, it can be built on hereafter. The manufacture of these articles for the West India market, would be a source of employment to our labor, and profit to the employer, if enabled to compete with the same articles made and imported by others. With a duty of 20 per cent. our workmen would be excluded—with this drawback they come in on equal terms. These articles present the commencement of a system which we must some day adopt, and which will make the foundation of our prosperity unshaken. It consists in imposing such an import duty as will secure us our home consumption; an excise on consumption, (for revenue); on the exportation, a drawback of excise; thus making the manufacture of one article exemplify the policy and all the great objects of government. The remainder of the bill, except the 9th and 10th sections, is copied from the present law; those sections have been inserted with the sole view of guarding against frauds which exist to a very great extent, and which, if not checked, will completely counteract principles of vital importance to the system we have recommended. Fears have been entertained that the 10th section will be injurious to the fair commerce of the country. It is not so intended, and can be so modified as to secure the objects of the committee, without injuring an interest equally worthy of national protection as the one I am advocating. If it cannot, I will consent to strike it out; for I am no enemy to commerce.* This is not the time to make professions—they will not be believed till the excitement occasioned by this, and the other bills reported by the committee, shall have subsided: when they are calmly examined, there will be found no evidence of a disposition to protect one at the expense of the other great interests of the nation: all are alike depressed, presenting equal claims on a government designed for the common benefit; struggling against foreign competition and regulations, all parts of the country require your protection. The committee, adopting the opinion of the treasury, that this was the proper time to effect a change in our internal relations, have not, in recommending this measure, overlooked these interests. It makes ample provision for revenue; if the imports continue the same as in 1818, the increased duties add \$5,800,000. It must be matter of conjecture how far the diminished importation will equal or exceed the increased duties—if the system of imports is alone to be relied on, if you will resort to no other, it is your duty to make the most of it—not to attempt to support it by loans and taking the sinking fund, as proposed by the committee of ways and means. If you will cling to it, I hope you will not reject this bill because it aids manufactures as well as revenue—that those who are so sensitive on the state of the treasury and object to this, will propose a better mode of apportioning the burthens on the consumer. Pass this bill, reduce the credits of the custom house, impose a duty on auction

sales,—you want no loan; the cry of revenue will be hushed by an union of those who wish to fill the treasury and protect our own industry. But we understand each other very well—revenue is one of the alarm bells to defeat this bill; those who raise it, well know that for the present it makes ample provision, but that for the future a new system must be adopted; one which must combine the protection of the great interest which they oppose. As it is inevitable, it is better to come to it gradually—if postponed till the voice of the country makes an imperative call, do not blame us if the revulsion is sudden and the shock violent. In five short years your impost has diminished from thirty-six millions to sixteen, more than three millions of which is now in suit. Your expenditures are twenty-six millions, in a state of peace. It requires no spirit of prophecy to tell that the income will not meet the expenses;—you must resort to new means; to internal taxes, to excise. In using these words I will not be misunderstood: by internal taxes I mean not direct ones on land, but on auctions, pleasure carriages, watches, expensive furniture, &c.; in other words, those taxes on the rich and money-making classes of society which were repealed two years ago, when a temporary overflowing of the treasury induced you to abandon the original financial system of revenue, and trust alone to imposts. By excise I mean a tax on the domestic manufacture which is protected from foreign competition. Excise has been an odious term, but it will soon be understood and divested of its terrors. To the consumer it makes no difference whether he pays to the merchant two dollars impost on a pair of boots, or the same amount of excise to a shoemaker; to a farmer, whether he pays five dollars impost on his coat, or five dollars excise to the manufacturer. There is indeed one difference, and that contains the sum and substance of political economy—he can pay the manufacturer in wool and provisions. The merchant he must pay in money—he must remit it to England; she excludes our produce and raw material. This illustrates the difference between impost and excise; the first turns the whole attention of the government to encourage the importation of foreign productions, as the means of imposing a tax on the consumer. If the country commands its own consumption, importation and imposts cease—now every thing becomes subservient to revenue and to commerce as the means of transporting the instruments of taxation. Such a system necessarily checks, if not destroys, our internal industry. Domestic manufactures paying no tax, the encouragement of foreign is the inevitable consequence.

Whether this system is beneficial to the nation, is no longer a matter of opinion, but of history. The late war totally destroyed the imposts; you were left without revenue; foreign importation ceasing, the manufactures of the country sprung up and flourished. Amid all the pressure and privations of the war, the people grew rich and were able to pay taxes to the amount of 12,000,000 in one year. How much could they afford to pay now? The peace found the national resources untouched, the nation strong, and the people contented: while the war duties continued there were no complaints; revenue was abundant; commerce flourished; manufactures prospered; farmers rolled in wealth;—not a murmur was heard against taxes; even when you repealed them, there was but one solitary petition on your table praying for the measure. It was most strange after this experience of the salutary effects of the then state of things, that there should have been a re-

*This section was stricken out on the motion of Mr. B.

ourance to the old system, which must be again abandoned on every fluctuation of our commerce and foreign relations—which can never be permanent, but is in its nature temporary; resulting from the chapter of accidents, relied on by no nation but ours, and by us found insufficient by experience. Even at this moment, when our opponents are so alarmed about it, we have made up our minds to vote for a loan after this bill shall have been defeated, for fear it will impair this noble and beautiful system of impost. You will, before you adjourn, contradict your declaration, that the system is good and the revenue sound by a "be it enacted," and the legislative declarations of the three branches of government pronounce that it is found wanting. This is no time for concealment; the house will not understand me as attempting to disguise my views on this subject: If national industry is ever to be protected; if we are ever to command our own consumption, the system of revenue must be changed—part impost, part excise. While you rely exclusively on the first, it is in vain to expect that sound measures of national policy can ever be adopted. A temporary check on foreign importations may, for a time, give a favorable turn to the labor of the nation; but, in their recurrence, our establishments must fall. Do nothing, or do something permanent and efficient, so that there may be some assurance that the national industry will not be exposed to abandonment by every varying motion of foreign policy. *Restore a confidence now destroyed;* bottom your revenue on the manufactures of the country; then both are placed on a foundation which combines the support of the government with the best interests of the nation. We are told this bill will destroy commerce: this is not an unexpected alarm; it was raised when the last tariff was passed; it is equally loud when any measure is proposed which adds a cent or a dollar to a duty on importation. Joined with smuggling, we shall always hear the cry repeated when any measure is proposed not tending to the exclusive benefit of that interest. I had indulged a hope that, at this time, when the commerce of the country was as prostrate as our manufactures—when both are pressing us for protection from the same dangers—that its friends would have made common cause, and joined in a common struggle for self-preservation. The hope was not a sanguine one; commerce has been too long a pet, the spoiled child of government, to think there are any other interests worth protecting. The mere creature of legislation, raised to importance by our laws and the expenditure of a great portion of our revenue for its support, commerce has presented herself as the Atlas which supports the government, the country, and all its great interests: now, it seems, she cannot support herself. Yet, while approaching you in a suppliant posture, praying for a bankrupt law to save her merchants, navigation acts, her shipping—she still retains the spirit, still thinks that all legislation must be for her benefit—boldly claiming the rights of primogeniture—loudly protesting that any thing done for the other children of the nation is her destruction. While this is commerce "I am against it;" but if she claims equal protection, or even a double portion in her favor, I will go as far any man in this house to support the fair trade of the country. Important as I think manufactures, commerce is no less so; but I must be understood as not meaning that commerce which is confined to the export of raw materials and the import of manufactures for home consumption, which adds nothing to the labor and wealth of the nation—only

draws from the consumer what he ought to retain at home, our resources, to enrich other nations;—but that commerce which, by the carrying trade, the export of foreign produce and our own manufactures, draws wealth from others to us; equally promoting the great interests of the country. The friends of commerce may boast of its importance and profits, yet they well know that even to the merchant, the export of provisions and import of goods for domestic consumption, has been a losing business. Examine their ledgers for the last thirty years; they will find it would have been cheaper to have bought bills than to remit produce. I well know that the export of produce down the Ohio has been unproductive; the first cost has never came back to our country. The history of the country, the public documents on your table, prove the fact as to the sea-ports, that the only profitable commerce has been the carrying-trade—the re-export, the drawback system, the same for which a permanent foundation has been laid in this bill.

It is admitted that the most flourishing period of our commerce was from 1802 to 1812, the best years 1806 and 1807; it has been declining since the peace—1816 and 1817 very bad years; the worst was 1818; yet the average amount of exports for the first period was less than in 1818 by one million. There was this remarkable difference: from 1802 to 1812 the average exports amounted to 69,171,000
Domestic produce, 38,157,000; foreign, 31,014,000
1818, whole amount of exports, 70,142,000
Domestic prod. 50,976,000; foreign, 19,165,000
1806, nett revenue, 16,081,000; drawb'ks, 9,709,000
1807, " 16,493,000; " 9,993,000
1818, revenue rec'd 23,832,000; drawb'k, 3,343,000
1816, " 32,786,000; " 4,830,000
1817, " 22,082,000; " 5,937,000

These facts present you with a history and account for the rise and decline of commerce as well as manufactures; they require no comment, but afford much for reflection: they show the kind of commerce worth protecting, in which I will be behind no one at all hazards, even of a war. Left now only in the enjoyment of the export of our produce and the importation of articles for consumption, we are losing the carrying trade—not for the want of laws to protect it, but for this evident reason, that the commercial nations of Europe can be their own carriers, import directly from their own colonies: they are not to be diverted by navigation acts; other means must be adopted to restore our commerce and give employment to our shipping. We must do as all other nations have done—make ourselves carriers by creating materials for trade. None ever become so by being the consumers of the manufactures of others. In a settled state of things, commerce cannot exist without manufactures—the one is the basis and affords the materials of the other. While it is thought bad policy to supply ourselves, we cannot expect to supply others—it is in vain to hope for employment for our ships when we have nothing to export which will pay expenses;—equally vain to place our faith in measures intended to coerce its employment by other nations, in opposition to their interest. Ships, commerce, and colonies, is their maxim. It would be ours in like circumstances.

The agricultural class of the country seems alarmed at this bill; with what reason it is certainly difficult to divine. Their situation is not more enviable than that of the other great interests. The ports of Europe and the British West Indies are closed against their provisions; some are actually

imported for our own consumption. Havana has been a good market—the last accounts from that place represents the “market completely glutted with provisions. Rice dull at \$5; flour \$13, duties \$9; upwards of 20,000 barrels had arrived there from ports in France, and from St. Andero, in Spain, and further supplies expected from the same quarter.” Wheat, in the interior, 37½ cents a bushel; flour at your farms \$3, and \$4 in the seaports;—excluded from foreign markets, you complain that we are about creating a domestic one.

Thus it is when the time has arrived in which all the great interests in the country, being equally prostrate, and one general scene of distress pervading all its parts, there was a reasonable hope of a union of sentiment, and a common effort to restore us to what we were—when the path we propose is consistent with the experience of all nations as well as our own, we are met on all sides with the chilling cry of, *let us alone; leave us to regulate ourselves.* You have regulated yourselves till legislation is necessary to restore. Remember, if the revenue has failed, if commerce is without employment, and agriculture has no market, *manufactures have not caused it.* One would think, in hearing the various cries of danger from this source, that they were progressing with giant strides, till their interest had become a Brobdingnagian among the Lilliputs. It seems to be forgotten that it is writhing almost in the agonies of death; far from being able to injure others, it cannot save itself; and is as low as its worst enemies could wish it. All have alike sunk beneath the effects of foreign policy and your indifference—laid low alike—struggling side by side. The three great interests of the country are to be restored only by your interference—they call to you in sepulchral tones, equally to warn you of past errors and imploring for future aid. But, sir, listen to all alike—do not let revenue, crying for a loan, commerce, for bankrupt and navigation acts, drown the voice of manufactures, asking for protection. Do not, after imparting your favors with a liberal hand to the others, reply to the calls of this great interest “*regulate yourselves.*” You will not say so to commerce—you will give her regulations, and enter on a legislative commercial war for her protection. But you will poorly answer to the nation for your partiality;—that *it is of no national importance who produces, raises, or makes our articles of consumption; that may regulate itself: It is alone worthy of our interference who shall bring them here from foreign countries. That we will regulate.*

We have been called on by the gentleman from South Carolina for the evidence on which the committee have acted. Of the description referred to in his resolution we have none; and I tell that gentleman plainly, that the committee of manufactures have not acted, and would not act, on the statements, or even the affidavits, of interested persons. Others may make motives for us—but we shall not avow what we disdain. I refer him for the information on which we have acted, to the commercial codes of other countries,—our own official documents from the treasury—to the able reports of the committee of commerce, of the secretary of the treasury, and to one which deserves particular notice from being presented by himself—the bill reported by the committee of ways and means in 1816. I repeat it, that the profit of manufactures has not been our leading motive, but the public national interest; *this nation must command its own consumption and the means of defence.* The treas-

ury report tells us that the ad valorem imports of 1818 are \$58,000,000, our domestic exports only \$50,000,000. This must be changed; we must buy less than we sell. There is one domestic work on political economy, better than any imported; containing more sound political maxims than any I ever read. The almanacs of “Richard Saunders.” He says, “if you keep taking out of the meal chest and put nothing in, it will become empty.”

This is the state of the nation; an enormous flood of importation has swept before it the industry of the country; 36,000,000 of imports a year have exhausted its resources—it is literally empty. Look where you will you find property depressed, produce declining, laborers seeking employment,—nothing increasing but debts and suits, and forced sales. The sound of a hammer does not disturb you, unless the constable’s, sheriff’s, or auctioneer’s. If the petitions on your table do not give you the true cause of this,—if, when manufacturers and farmers are joining in their applications for the protection of national industry, you want other evidence of the general distress—let each member of this house say what is the situation of his own district. Many of them have seen manufactures flourish; did farmers then suffer? Has their practical operations ever been injurious to any portion of the country? We have tried the systems of supplying ourselves and depending on foreign nations; those who have seen the effects of both can best judge of the merits of this bill. But if you want other evidence by the cause of this universal distress, and to find out an effectual remedy, do not disregard the unanimous opinion of the legislature of New-York, expressed in instructions to her delegation here. This is the voice of 1,200,000 freemen. When a nation thus complains, we are not to enquire if women and children cry. Pennsylvania speaks in a still more decided tone—not of instruction or complaint, but by a *stop law* to prevent the sale of real and personal property in execution, unless it sells for two-thirds of its appraised value. It is time to reflect when such a state speaks in language like this. Five years ago she was the richest in the union; her property was valued under your authority at 346 millions—New-York at 273 millions; she has been and yet is a proud state—fertile in resources, strong in her institutions, she stood the shock of the revolution, the consequent peace, the embargo, and the late war, unhurt. But she could not withstand the destruction of her manufactures, the prostration of her industry, the deluge of importations, your enormous imports; she has yielded to the pressure of general distress, and, for the first time in her history, has been obliged to resort to a stop law to save the persons and property of her citizens. All must regret the necessity—the other states have not resorted to the same measure: they may have as much necessity. One county in Virginia, I see by the paper of to-day, has passed a stop law of its own, by refusing to appoint any officers to enforce the collection of debts. Sir, this state of things affords abundant evidence of the necessity of your acting. You have tried the present system till all the interests of the country are alike destroyed. Give this one affair trial—you can be no worse, unless you persevere in a policy which was founded on a state of things which no longer exists—which will increase the national distress in proportion to its continuance. Adopt a system founded on those plain practical principles which have been sanctioned by experience, and can never be destroyed by a storm, which will pass the country unhurt.

NOTE.

The navigation acts have been passed; the West India, with one dissenting vote in the senate—in the house, by a vote of ayes 94, noes 25: the French, without discussion or even a division in either house—there was one no heard in the house of representatives. This furnishes a good practical commentary on the favorite maxim of "leave things alone"—it cannot be expected to pass without comment. No subject will better explain the actual policy of this government in relation to their internal concerns. The French navigation act has been called for by the great body of merchants, who complain that the French tariff excludes entirely the employment of American shipping: to counteract this, we have imposed a duty of eighteen dollars a ton on French vessels arriving after the 1st of July next. It is well to compare the discriminating duties of the two nations. Our tonnage duty is fifty cents light money, the same in all—one dollar a ton on foreign ships; the French is ninety cents—ten cents less than her ships pay here. The French duty most complained of is on the import of our produce—we impose an addition to the rates of duties of ten per cent. on all goods imported in foreign vessels of those nations who have no convention with us. France imposes on cotton, a duty of four dollars a hundred imported in French ships, five dollars and fifty cents in foreign; if from an entrepot, five in French, five dollars and fifty cents in foreign vessels. Tobacco, in French ships, free—foreign, one dollar a hundred. To ascertain who is the aggressor in this contest, who first began this discrimination on tonnage and goods, whether it is in self-defence or from a spirit of monopoly, and on which side, may be some time worthy at least of examination. If the conduct of France has been unprovoked, if she first began this warfare, and we are on the defensive, and prefer retaliation to reduction, there are two modes of counteracting it—a tonnage duty, which would exclude French shipping, or a duty on *their manufactures, which would compel them to reduce theirs on our raw material*. The first has been adopted—its operation is only in favor of the merchant; the second was rejected; it would have benefitted the manufacturer and the farmer, and been of equal service to commerce. The heavy discriminating duty is on our produce, not tonnage. The principle of equal protection should have embraced all interests alike—it has been confined to the carrier the producer; and the manufacturer has been overlooked. The rights of primogeniture have been successfully asserted, and unanimously sanctioned. Will France give way or retaliate? In the latter event, let the agriculturist look to the exclusion of his produce; the shipping interest can only be reached through the products which give it employment—the cotton planters have unanimously opposed the protection of manufactures and advocated the navigation acts; they have thrown their entire weight into the scale of commerce. The consumption of their cotton was unworthy of their notice. The carrying of it has induced them to join in a commercial war which may terminate against their interests. Mr. Gallatin states that we imported \$60,000,000 of the produce of French industry, more than two thirds the produce of modes and luxuries manufactured at Paris, and of Lyons' silks exported from Havre, exclusive of wines, brandies and dried fruits, and other articles of that nature." One would think that this fact would have assured to a statesman the point in which to attack France. Exclude her manufactures from our market, or impose a duty

equal to hers. That however seems not to be consistent with the rules of political economists—it would give employment to our laborers, infuse life and new spirit into our manufacturers. A reduction of import duties would increase the price of the raw material to the farmer, diminish it to the consumer of the manufacture—these are considerations which have excited no attention. The great national contest now is, whether the duties shall be the same, whether imported in French or American vessels. Let the cotton, tobacco and rice planter look out. The day may come when the sugar planter may find it would have been as well to have excluded the produce of the British islands, as the carrying of it in British vessels.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

London dates of April 25.

The new parliament assembled on the 21st of April. Charles Manners Sutton was re-elected speaker. The disturbances have subsided at Glasgow and its neighborhood. The queen has been publicly and solemnly recognized in her rights, by the lord chancellor, vice chancellor, and chief justice, by accepting Messrs. Brougham and Denman as her counsel, giving them precedence and rank as such. But the ministers, as yet, have not called the king's wife, queen; and she is still rejected—by the prayers of the church!

Sir Thomas Lawrence, knight, has been elected president of the royal academy, in the room of the late Benjamin West, esq.

Sir Alexander McKenzie, famous for his travels in North America, died in Scotland on the 12th of March last.

One of the Dublin journalists makes it out to be quite an important affair, that the king lately drank "prosperity to old Ireland" in a bumper of whiskey punch!

Roscommon, Galway and Mayo counties, in Ireland, are still in a very disturbed state, though several persons have been executed as "ribbon-men."

Trials for treason and sedition are going on in many parts of the United Kingdoms.

The witnesses on the trial of Thistlewood decidedly proved the design of the conspirators to murder the ministers, without discrimination, and fire London in several places; to employ the citizens until they could rally enough of the disaffected to make a stand against the troops, &c. The plot was of as horrible a character as that planned soon after the "revolution" by William III. in which, however, the legitimate succeeded to massacre the clan of Glencoe—except that the people of Glencoe were innocent compared with the intended victims of Thistlewood and his associates.

Sir Charles Woolesey and the rev. Mr. Harrison, have been tried and found guilty of intending to excite commotions at a meeting at Stockport, &c.

FRANCE.

Count Clauzel lately sailed from New York for Antwerp—he is still under sentence of death *par contumace*.

The prefect of the police has directed that a watchful eye shall be kept over ballad makers!

A Paris paper of April 2, gives a story about an attempt that was made to assassinate Monsieur (the king's brother), when he visited the church of St. Denis, alone, to indulge his paternal sorrow at the tomb of his son, the duke of Berri. The tale says, that a ruffian, armed with a brace of pistols, loaded

to their muzzles, forced his way to monsieur, by overpowering the woman who has the custody of the church, but that her screams brought a couple of gens d'arms to her rescue, who seized the culprit, &c. The effect of this circumstance on the king's health, is said to have been almost fatal.

A letter says—"Paris, after dusk, almost resembles a besieged city. At every forty yards on the Boulevard the passengers encounter a patrol of five soldiers, a corporal and four privates, two of the latter being French and two Swiss. The same arrangement is observed by all the guards whenever mounted; one half natives and the other half are foreigners. This betrays the distrust of the government and excites much rancour against the disaffected, who boast, that 12,000 Swiss would be of small avail, were the time come for pressing their views. There is always a guard at the palace royal; but at night the quadrangle is literally surrounded with troops. All the public buildings and important stations are likewise strongly guarded. In short, every thing bears the marks of an approaching convulsion, especially should the throne become vacant. The events in Spain has produced an electrical sensation."

The following laughable thing is from a late Paris paper—A peruke maker, coming out of the Montesque Baths, had been taken up and carried to the office of police, for whistling in the street. There, to his astonishment, he was informed of the existence of a conspiracy, and that the conspirators, who usually assembled in the neighborhood of the Palais Royal, made themselves known to each other by whistling. Although well known, the poor peruke maker was not released until he had furnished several sureties.

Frankfort, April 6. M. Lavalette is still in Bavaria. This man, whose misfortunes and deliverance have made so much noise in Europe, is in a singular situation. His pardon has been granted him by the king, but he has not yet received official notice of it, and cannot return to his country. On the other hand, he is exposed to very unjust suspicions in Germany; where, not knowing the cause of his protracted stay, they accused him of want of attachment to his heroic wife, whose health he should be willing to purchase at the expense of his own life. [It has been stated that she is in a state of derangement.]

SPAIN.

Ferdinand has again made a public declaration that he swore to the constitution spontaneously and in a voluntary manner. The reason of this was, that a monk had sought to prove that the oath might be annulled!

Quiroga, the gallant deliverer of Spain, was so affected by his reception at Cadiz, that he burst into tears, when the governor, in the presence of a vast multitude, forced upon his head a crown of laurel and roses; but the people were half frantic with joy and rent the air with shouts.

When Mina was at Paris, Ferdinand's ambassador hired a woman to watch his motions and communicate intelligence; but an attachment was soon formed between her and Mina, and instead of being a spy she became his firm friend, and accompanied him in his flight to Spain, on the news of the breaking out of the revolution.

A new Spanish journal publicly proposes to insert all the passages which may be struck out of the French newspapers at Paris, by the censors of the press! *What a change!* It is very possible that the circulation of Spanish gazettes may be prohibited in France!!

The king and his wife now frequently appear on the *Padro*, with confidence, and are received by the people with a degree of respect and attention that is rarely the lot of crowned heads.

The militia of Spain is armed—a camp has been formed at Villa Franca, which will remain until the new government is fully organized. Three bishops and the arch bishop of St. Jaques, have fled to Portugal. Efforts to destroy the constitution appear to be making in some places; but they will not avail any thing, unless to create a disturbance which may cost Ferdinand his throne.

It is doubtful whether those Spaniards who served in the "intrusive government," as that of Joseph Bonaparte is called, are entitled to return to Spain under the amnesty.

Some persons have been arrested for attempting to corrupt certain soldiers at Madrid, to bring about a counter revolution.

SOUTH AMERICA.

We have the official account of the capture of Rio de la Hache, by Brion's squadron; no opposition was made.

Don Luis Lopez Mendez, plenipotentiary for the governments of Venezuela and New Granada, now called the republic of Columbia, has resisted an idea thrown out in one of the London papers, that the South Americans will unite themselves to Spain, under her constitutional government; and, from his statement, it does not at all appear probable that the cortes will be more successful in reclaiming the former possessions of Spain than Ferdinand has been. The following are among the reasons assigned by Mr. Mendez:

1st. The cortes declared war against South America, and carried it on during the whole time they were in power, during which time they sent against us about thirteen thousand troops, according to the detailed report laid before the cortes by the minister O'Donaju.

2d. The cortes obstinately refused even to listen to the proposals of the deputies from South America.

3d. The cortes constantly refused the freedom of trade to South America.

4th. They twice refused the mediation proposed by the English government, who appointed three English commissioners for that purpose, one of them commodore, now admiral Cockburn.

5th. They did not consent to prohibit the slave trade.

6th. The cortes approved and supported the oppressive and cruel measures of Abascal, Peru, and Menegu, in Mexico, in utter violation of the constitution.

7th. The cortes sanctioned the most scandalous violation of the capitulation entered into by general Miranda and the governor of Montaverra, in Venezuela, and the cruelties practised by this Spanish chief in those provinces. The above general Miranda and many other patriots were sent from Montaverra to Spain, and the cortes, without granting them any trial, put the one in the dungeons of the Caracca, in Cadiz, where he died in 1816; four of the others were plunged, by order of the cortes, into the dungeons of Ceuta, whence they escaped, and passed over to Gibraltar; the governor of which place delivered them up to the Spanish government; and lastly, by the interference of the English government, they were released, and sent by the Spanish government to Gibraltar, and from there they happily returned to their own country.

Finally, in the constitution formed by the cortes, in order to diminish the number of South American

representatives, it was declared that no native of South America, whose origin could in the most remote degree be traced to Africa, should enjoy the right of citizenship, and should not be enumerated among the number of 70,000 persons for whom a representative might be returned to the cortes.

Lima. An officer of the U. S. frigate Macedonian, describing Lima and speaking of the mint, says that the machinery, of British manufacture, cost 800,000 dollars, and that fifteen dollars are coined thereby in a minute.

CHRONICLE.

The president of the United States left Washington city on Monday last, on a visit to his seat in Virginia.

Mr. *De Neuville*, the French minister, has left Washington, to embark at Annapolis, for France.

Mr. *Forryth*, it is reported, arrived at Bordeaux on the 19th of April, from Madrid, on his way home.

A messenger from the new government of Spain has arrived at Washington city, with despatches for general Vives.

The flag-staff at Detroit, from which gen. Hull caused the "star spangled banner" to descend in August, 1812, lately fell during a storm. No flag had floated upon it since—it was suffered to remain "as a monument of the cowardly surrender of Detroit."

The U. S. schooner *Nonsuch*, lieut. com'dt Turner, anchored in Hampton Roads the 22d ult. about 5 o'clock, from Rio de la Plata, last from Havana, 13 days from the latter.

Died, on the 10th ult. at Philadelphia, *Samuel Wheeler*, Esq. aged nearly 78 years. He was one of those who committed the first overt act of "high treason" against his majesty George III. south of New-York. He was busily occupied during the revolution—sometimes in the field, and he made cannon of bars of iron, far exceeding brass ordinance of similar calibre, in lightness, and distance, and accuracy of effect. The first that he made was in Philadelphia; it was the admiration and pride of the American army; was captured at the battle of Brandywine, carried to England and deposited in the tower of London.

—near Germantown, N. J. Frederick Peckle, aged 106 years. When he was 94. he cut with a cradle 500 sheaves of rye in a day. At 97 he went into the woods and split 100 chestnut rails in less than a day. He was regular and temperate in his habits, and enjoyed good health until within about a year before his death. The wife of his youth, of about 90 years of age, is still living, and they had lived in the marriage state 70 years.

The Irresistible. Ten persons of the late crew of this vessel were sentenced to death at Richmond, on Monday last, by the circuit court of the United States—the chief justice president. The time fixed for their execution is the 9th instant.

New-Orleans. General Bissel has ordered detachments of the regular army from St. John's and Baton Rouge to New-Orleans, to resist an attempt that has been threatened to rescue the pirates now confined there under sentence of death.

Salt water. The whole western country seems to be under-flowed with salt water. Some late borings through the rock, at depths of from 259 to 317 feet, at Cannonsburg, Pa. have been completely successful.

The names of our vessels. Most of our readers doubtless recollect a resolution of congress, passed at the session before the last, establishing a system according to which the armed vessels of the United States should be named; their appellations having been previously thereto selected at the pleasure of the navy department or of the officers subordinate to it. The resolution itself being of no great length, we copy it, to refresh the reader's memory:

"Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That all the ships of the navy of the United States, now building or hereafter to be built, shall be named by the secretary of the navy, under the direction of the president of the United States, according to the following rule, to wit: those of the first class shall be called after the states of the union: those of the second class, after the rivers; and those of the third class, after the principal cities and towns; taking care that no two vessels in the navy bear the same name."

We understand that, in execution of the plan contained in the preceding resolution for naming our public vessels, the states, entitled to the names of ships of the first class, are to be ascertained by lot, under the direction of the board of navy commissioners. This is supposed to be the least exceptionable mode that could be adopted, with equal justice to the several states. Although the mere name of a ship may be of little importance, yet the system contemplated by the resolution may be productive of very beneficial effects; and the rule which is now established for determining the names of the ships constitutes an efficient safeguard against every thing that might bear the appearance of favoritism, were recourse had to an arbitrary selection.

Nat. Int.

Agreeably to the mode adopted by the navy department of determining the names of our vessels of war, under the resolution of congress, the navy commissioners proceeded on the 25th ult. we understand, to assign by lot the name of the ship of the line just built at New-York. The name which she drew, which, of course, from her rate, must be the name of a state, was OHIO.

ib.

The U. S. ship of the line *Ohio*, was launched at New-York, on Tuesday last, in the presence, it is supposed, of nearly one hundred thousand persons, amidst discharges of artillery from the *Washington* 74 and sloop *Hornet*, which were answered by a battalion of artillery. She glided into the water in a majestic style, and no accident occurred. She is a vessel of the first class—built of the best materials, and with great care, by Mr. Eckford.

Law case. A question has arisen in what is called the "constitutional court of South Carolina," which, it is believed, has never yet been made before any judicial tribunal of the United States. An execution had been levied, and the amount collected by the sheriff, and tendered to the plaintiff, in copper cents, the coinage of the mint of the United States. The judge on the circuit decided this to be a legal tender. A motion was made to reverse the decision on the circuit, on the grounds:

1st. That congress have no power to make copper coin a legal tender.

2d. Admitting that congress have the power, the several acts establishing the mint show, that copper coin was not intended to be a legal tender.

The opinion of the court was deferred until the next term.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A SUPPLEMENT shall issue next week, to assist in disposing of numerous important articles waiting insertion.

The Tariff Bill.—We had hardly expressed the wish to see in what manner the opponents of this bill would "answer" the speech of Mr. *Bulfinch*, published in our last, when we received the Charleston "Patriot," containing that delivered by Mr. *Lowndes*; and believing that our readers have some portion of the same curiosity which prevailed in our own mind, we hasten to give it, and thus conclude all that it is our intention to publish on this subject just now.

Speck of War.

Letters have been received which state that the Winnebago indians have declared, in council, that they will burn the U. States' property at Fort Edwards. The presence of the Sacks and Foxes has restrained them hitherto; but these having been summoned by their chiefs to Rock river, the work may have been done by this time. The Foxes have sided with the Americans in the affair of the murder of two soldiers at Fort Armstrong. Great commotion prevails in that quarter. The usual preparations for corn-planting are suspended. Runners are constantly passing between the villages. Large parties of the Sacks and Foxes have gone out against the Winnebagoes, Sioux and Osages; and the U. S. agent was preparing, on the 1st ult. to remove the public property from fort Edwards to St. Louis.

☞ *The celebrated Robert Dixon is among the Winnebagoes and Menomines.* ☞ It is to be hoped this will not be forgotten. The writer of the letter from fort Edwards is at a loss to account for the cause of this excitement. He may find it, perhaps, in the location of Dixon.

Enough, it should seem, has been said and written, on the policy which ought to obtain in our indian relations; but all this has availed us little, and will continue to be useless without some *acting*. Our indians, in those regions, must continue to be the victims of such excitements, and our government the dupe of the avaricious and interested, until *Dixon*, and all like him, are compelled to come out from amongst this people. Nothing is easier than to remedy all these distresses, and keep the peace of the forests; and yet things are permitted to linger from year to year, till it will be found that the season has gone by, and the agitations will have become too great to quiet, except at the cost of such exertions as will involve much blood and treasure.

The bill that passed the senate of the United States, and which was sent to the other house for its concurrence, but which was never heard of afterwards, would have purged those regions from the mass of corruption which is permitted to dwell there. But, enough—nothing, it seems, will serve except it be blood and a wasteful expenditure, to rouse into action a proper thinking on this subject;—*this important subject.*

It is gratifying to know that those indians who border our settlements, and amongst whom have

been sent the means of reformation, are progressing rapidly in their march towards civilization. Many hundreds of them are already saved from the evils to which their less favored brothers are yet liable.

The Winnebagoes live on the Ouisconsin, and are numbered at 500 men, 350 women and 700 children, and inhabit ten towns or villages. The Menomines count 100 men, 75 women, and 180 children, and inhabit the country bordering the Illinois, towards lake Michigan. They live in eight villages.

The following, a copy from a letter dated the 15th February last, addressed to a friend, may serve to shed some light on this indian excitement:

"Since the receipt of your letter of the 10th September, nothing has been done by the indian agent to restrain the British traders residing in this village, or from having intercourse with the indians in the way of trade. In fact, from the prejudices they have excited against American traders, the indian trade is nearly confined to the British traders; who, from selling whiskey privately, and from the ties of relationship, &c. with the indians, will continue to enjoy it as long as the orders relative to the subject are unattended to. The indian trade is virtually surrendered to those persons. The indians are altogether led away by the British traders; and, while the American traders and officers are insulted at a distance from the fort, the British traders are cherished and caressed. The proof of which I will give you:

1st. Some time last summer, a boat loaded with goods, and owned by an American trader, Mr. *Armitenger*, was fired upon by some indians, near Winnebago lake.

2d. Captain Whistler, of the army, wrote from Winnebago lake; that the indians had fired on his boat while on his way to St. Louis, in August last.

3d. Doctor Madison, of the army, informed his correspondent here, that some indians plundered him at Winnebago lake last fall.

4th. *Lewis Grignin*, James Porlier and Son, and Augustus Grignin, (British subjects,) proceeded to the Ouisconsin last fall, with their boats loaded with goods, without experiencing any insult or obstruction. On the contrary, the indians in that direction accompanied them, for the purpose of hunting for them, during the fall, winter and spring.

I am confident that nothing but an unqualified expulsion of these traders from this place will produce a favorable change in the minds of the indians. This village contains from 45 to 48 families, who all profess to be subjects of Britain, and from ten to twelve British traders rule them."

REMARKS.

It is probable that, at this date, the ill-advised Winnebagoes are at open war with the United States—that they have already murdered and scalped some of our harmless frontier settlers, men, women and children. They have listened to their enemies and are led to their own destruction, by the measures which they have resolved to pursue.—The establishment at Fort Edwards was flourishing—it promised great utility in directing the indians to peaceful pursuits, in diffusing among them the

benefits of agriculture, rendering them no longer dependent on the chase for an uncertain subsistence, and *therefore*, it has been determined to destroy it! We are irresistibly brought to the conclusion, that their hostility is instigated by the British traders, for the manifest reason that the *interest* of those men are interfered with by every thing that is done to draw the Indians to a settled habitation and home, to spread among them a love of peace, and advance them in civilization. The savage-hunter state is the only one that comports with the views of these traders—to sell whiskey dear with one hand, and purchase skins cheap with the other, is the extent of their wishes; and they will not leave any thing unattempted to secure to themselves a monopoly of this trade, even at the hazard of leading the Indians into a war which must needs result in the loss of many of their lives and the destruction of their villages and corn-fields, by which also many of them must perish.—We know how the influence thus obtained was used by the traders to send the torch and tomahawk all along our north-western frontier, in the late war with Great Britain; and, in what is called the French war, we as British subjects, encountered the same ravages from the then existing influence of the French traders. It has been thus from the beginning, and it will ever remain so—the Indians within our own limits will generally be uncertain friends or open enemies, until the government of the United States shall take the trade into its own hands, and directly controul the intercourse with our aborigines. Unprincipled foreigners, ever ready to purchase the scalps of infants or deal in human blood by the gallon, if they can make a pecuniary profit on these things, must be excluded from our territory; no longer permitted to raise the war-whoop in our forests, to defeat the best devised schemes of humanity, and render nugatory the efforts continually making to inculcate peace among the Indians, and extend to them the blessings of civilization. It is astonishing that this interesting concern, which so deeply involves the welfare of so many of our own people as well as that of the Indians, which contains in itself the seeds of unnecessary war and waste of life and treasure, should have been so long neglected by the congress of the United States. The senate, it is true, at the last session, passed a bill that provided for the case, and then we heard no more of it—it sleeps in one of the committee rooms of the house; though if it had been brought before that body, we cannot hesitate to believe that it would have passed almost without opposition—and, possibly, in time to have acted against the outrages now perhaps suffering in the North West—to check which, we may be compelled to march an army into the Indian country, at an enormous expense.

NOTE. In overlooking some old papers just after I had finished the preceding remarks, I happened to lay hold of a talk delivered to gov. Posey, by Toccannippi, chief of the Pottawatamies—the following extracts are interesting:

Brother—"Two Shawanees came among us, Tecumseh and the Prophet, saying they had a message to us from the Great Spirit." "The Shawanees have always held the *British* tomahawk."

Brother—"We intreat you to speak boldly to the *British*, tell them they were the cause of the war, and all its horrors, that they should stop it, that they must take the tomahawk from our hands."

Brother—"We detest war, we love peace and ask pity on our women and children; *not so the British, they will not let us live in peace.*"

Missouri Convention.

The election for members of the Missouri state convention was closed on the 3d ult. In St. Louis county, the highest vote for the ticket favorable to the interminable admission of slaves, was 891—the highest on that opposed to the further introduction of such persons, only 400; and the "Enquirer," of the 10th, speaking of the election generally, exultingly remarks, "We undertake to say that there is not a single *confessed* restrictionist elected throughout the whole territory, nor a *disguised* one that will confess himself in the convention." But, a writer in the very same paper says—"it is well known that *several* restrictionists will be in the convention;" so that we, at this distance, do not know what to consider as the relative force of the parties to the question on which the especial interests of Missouri and the harmony of the union, yet so much depends.

The writer last alluded to, seems to be excessively afraid that the restrictionists, by some sort of wonderful intrigue, (similar to that which was worked by the "*invisible hand*" so clearly seen by certain wise men in the United States a few years ago,) may introduce certain provisions in the constitution, by which, at some future period, the people may have an opportunity of reconsidering the subject of human slavery. He is decidedly opposed to this, if we understand him;—much, he says, will depend on "emigration;" and if, after the next four years, "Clinton, King, or Adams," is president, a check may be given to the sale of the public lands, and Missouri "remain forever the haunt of wild beasts rather than be filled up with a people unfriendly to the views of their *political* party;" so he appears inclined to manage the matter in a way that shall, if possible, render slavery eternal in the new state, by refusing to posterity a right to act upon it! The following are his own words: "Citizens! speak to your representatives. Let them know that it is not your intention to have your property, and the *POLITICAL CHARACTER* of your state, made the sport of future contingencies. *That your determination is to have matters settled now, while the power is in your hands.* That it is no time for making calculations, splitting hairs, and balancing grains of sand, in order to ascertain on what day of what month, in what year of what century, it will be *perfectly safe* to leave your property without constitutional protection! That in all such calculations there is room for mistakes; and that you have no more desire to see our country ruined by the *ROXEST MISTAKES* of friends, than by the *RUIN* of enemies."

Such is also the spirit of another writer, in the same paper, of the 6th: he exhorts the majority not to have the question tried over again in the legislature—they may "*chance*" to lose it at a future period. He says—"In such a question, your servants in the legislature may not know their master's will, or knowing it, may disobey it. Besides, the *foreign* enemy, whose formidable array has covered the area of eleven states; whose advance guard of preachers, voters, candidates, resolution-makers, writers in the Gazette, &c. &c. &c. has just arrived among you, will be prepared for action at that time, and will shew you different work from what you have lately witnessed. Even if defeated, they can practise upon the principles of Messrs. King and Clinton; proclaim freedom to your slaves, and excite them to cut your throats and burn your houses!!!" But yet he concludes by expressing a

willingness to leave the matter to another convention.

Remarks and discussions like these are, in our opinion, only calculated to do evil. Slavery is said to be "favorable to the political character of the union." What a dreary picture—what a horrible conclusion? Why thus rouse the angry passions that were partially quieted by the compromise—which established the principle that congress has a constitutional right to legislate upon the subject? Why lay the seeds of a new contest, when the constitution of the proposed state shall be laid before the representatives of the nation? If it is the deliberate belief of the people of Missouri that it is right in them to permit the introduction of slaves—that, as some of them assert, such introduction will be advantageous to the state and to the slaves themselves—let them do so; but let them not so model their constitution as to cause it to be objected to on other accounts—let it, in all else, be republican. The question of slavery, under present excitements, is sufficient for this time: and we are mournfully impressed with a consideration of the fact, that Missouri is about voluntarily to impose an evil on herself which the people of every other state deprecate—freely to introduce a population which so many, even of the slave-holding states, prohibit an increase of, by importation or migration, unless under peculiar circumstances.

Mr. Lowndes' speech on the Tariff.

(From the Southern Patriot.)

DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, APRIL 24, 1820.

Mr. Lowndes said, that, after the view which had been taken of the question before the house by his friends who had already spoken, he should not attempt a systematic exposition of the grounds of his vote; because, in doing so, he would be obliged to employ arguments which they had stated more clearly and strongly than he could do. On this account, his observations must be very desultory.

The question was not whether manufactures were useful. A good deal of trouble had been taken to prove what nobody denied. Nor was it even the question, whether it was the policy of the government to encourage them by duties upon foreign importations. His friends had shewn, by arguments which had not been answered, that that employment of industry which afforded the most profit to the individual would ordinarily conduce most to the wealth of the state, and that the duties or prohibitions which should direct any portion of the labor of the country to a business which it could not otherwise engage in, would usually be found to substitute a less profitable employment for one which was more so. If they were right, the present bill, which proposed a large additional encouragement to particular branches of industry, must be entirely indefensible; but if there were a doubt as to the correctness of opinions, (which they held in common with every political economist, to whose work time had given its sanction,) this doubt was enough to dissuade the house from further interference on a subject on which they had, perhaps, already gone too far. While his principal object would be to shew that the encouragement already afforded, was as great as could reasonably be granted, he wished, before he engaged in an enquiry into the degree of encouragement, to advert to some general principles which he supposed to be involved in this discussion.

The gentleman from Delaware, (Mr. McLane,)

whose argument he had heard with as much attention and pleasure as any of those who most fully concurred in his opinions, had proposed no partial or sectional objects. He wished to encourage the industry of the nation, to raise the value of labor and capital employed in every pursuit. This was very patriotic but very impracticable. We are not magicians or alchemists. We can do no more than to produce a change in the distribution of labor among the different employments of life, and if we increase the profits of any branch of industry by our legislation, it must be by taking from one class what we give to the other. Perhaps the general good might be promoted by such an act, (he was not now entering into this question.) Perhaps the class at whose expense the interests of another class were to be promoted, might ultimately be indemnified for a temporary sacrifice; but the expectation must be utterly illusory that a bounty could be given to any branch of industry, without at least a temporary sacrifice by some other.

It was plain that the defence of the bill before the house implied, that the industry employed in manufactures at home, should be more encouraged by the government than that which was engaged in procuring for us the produce of foreign countries, in exchange for the labor or produce of our own. The first was called the home industry, and the phrase had no small influence in the discussion. In purchasing commodities imported from abroad we were supposed to encourage principally the industry of a foreign state. Plausible as this view might appear, he thought that even a slight examination of the subject, would shew that manufactures and commerce might be equally productive, and might equally encourage "home industry."

Between the results of commercial and manufacturing industry the difference is not as great as has been represented. In manufactures a material of inferior value receives a change in its form which adds greatly to its utility. The fabrication which is completed in our country affords a profit which is equal to the difference in value between the raw material and the manufactured article, after deducting the expense of manufacture. In commerce, a material of inferior value is carried abroad and converted into an article (or exchanged for one) which to us is much more valuable. The conversion affords us, as in the first case, a profit which is equal to the difference in value between the original article and the exchanged product, after deducting the exchange. If a thousand people, in a corner of our country, make among them all the provisions which they consume, and, in addition to these, furnish, by their industry, one hundred thousand dollars worth of broad cloth, it does not appear that they add more to the wealth of the state than the same number of people would do, distributed among the employments of merchants, sailors, and farmers; who, after supporting themselves, should exchange the surplus productions of a part of them, (enhanced in value by the industry of the other part which transports and exchanges them,) for the same amount of one hundred thousand dollars in broad cloth—the same value of the same article. If by high duties or by positive laws, we could force these merchants and seamen to stay at home, and their capital and industry should produce as before the \$100,000 worth of broad cloth, the article, although fabricated in the country, would not more be the result of American industry, (for the purpose of this argument,) than if it had been obtained by the other process of maritime adventure. It is quite natural to consider a foreign manufacture as

entirely the product, and its purchase as the encouragement of foreign industry. But how did we get it? Whatever may be the amount of foreign fabrics which are spread over our country, if it be the industry of Europe which produces, it is the industry of America which acquires them.

The industry employed in commerce, then, is American industry; and the acquisition even of foreign fabrics is the result of American industry and its encouragement. He should have an opportunity of illustrating this view when he came to treat of a branch of trade which the bill before the house prescribed—he meant the East India trade. He would, for the present, observe only that the importation of foreign fabrics, acquired by American industry, if they were furnished at a lower price than our manufacturers could afford to sell at, produced the same loss and the same benefit as the introduction of any new machinery, or of any simpler process which should lessen the expense of fabrication. In employing the saw-mill or the spinning jenny, we acted upon the same principle of getting what we wanted as cheap as we could, and we produced the same distress in throwing out of employment the persons whose ruder industry could not stand this new competition. There was one admission, however, which he frankly made—the effect upon home industry was the same of improved machinery on foreign trade—but the trade which benefited ourselves, benefitted also the country whose wants we supplied or whose products we consumed. Let this objection have whatever weight it was entitled to. Its principle was not so much anti-commercial as anti-social.

In encouraging, then, the manufactures of the country by duties upon importation, his friend, from Delaware, would do the very thing which he meant to avoid—he would promote one branch of American industry at the expense of another. But, whether this conduct of individual industry was right, he meant to leave to the arguments of his friends from Virginia. It had been said that the plan of encouraging particular branches of industry had been applied to commerce as well as manufactures. This was no decisive recommendation of it. If the nation had been taxed to encourage commerce, it was a poor indemnity (it was not exactly a compensation of errors) that it should be taxed for the support of manufactures. There was, too, some little difference between the two cases. Taxes for the support of government were laid upon commerce—these were paid by the consumers of foreign merchandize, and whatever the expenses on account of commerce may have been, they were expenses which commerce herself was made to pay. The merchant, or the purchaser of foreign articles, received, if you please, some relief from the credit which was allowed upon the payment of duties, but he certainly received nothing from contributions which were paid by any other class in the community.

Exclusive advantages, indeed, had been given to the navigating interest. The principal instance of it was the monopoly of the coasting trade. This was connected with considerations of defence, not of profit; to support, not our merchants, but our navy. But what was the extent of the bounty? In the direct trade with the first navigating country in the world, (England,) our ships obtained, without any discrimination in the duties, the larger part of the navigation. Could the ships of foreign nations, unable successfully to compete with our's in foreign trade, have carried on the coasting trade on lower terms than our own? No other interest has con-

tributed a bounty to commerce, and the discrimination in favor of American navigation, in the only instances in which it could be expected to operate, (if it ever operated at all,) was a discrimination of ten per cent.

The encouragement of manufactures in the mode proposed, whether the thing were right or wrong, must produce two effects—the one that of withdrawing labor and capital from commerce or agriculture, and thus enlarging the whole amount employed in manufactures—the other, that of effecting the distribution of labor and capital among the different branches of manufactures themselves. He would say nothing of the first effect; but the second must be allowed to be one of unmixed injury. Admit that it is our interest to manufacture articles which we could procure at cheaper rates from abroad, it must be still more our interest to manufacture such as prove themselves adapted to our circumstance by being able to bear foreign competition. Our capital and labor are limited, and in directing the largest amount of these into branches which require most encouragement, we really divert them from those into which they would flow with most advantage. Thus, every branch of industry which is entirely safe from foreign competition, and in respect to which protecting duties may be considered as nominal, must be injured by the encouragement of those which draw from them their resources of capital and labor. We have many branches of industry among those which may be expected to be first established in every country, which seem not to be more prosperous now than they were thirty years ago, nor are the articles which they furnish by any means at as low a price. What are called the mechanic arts are generally in this class. Why is this so? Because government, in fact, bids against them. Because the operation of this system of duties must be relative, and in encouraging one branch of industry we necessarily discourage another. Look at the iron manufactory as a proof of this. It is said to want yet further encouragement, recently as the duties have been raised; and, it is true, (he had the proof of it upon his table,) that the profits of the iron master were greater before the revolution than they had been for some past years: greater when our capital and population were small, and foreign competition unrestricted, than when all these circumstances were changed in our favor. To all that industry, whether agricultural or manufacturing, which is safe from foreign competition, the system of “encouraging domestic industry,” can give no advantage, but it must share in the burden without participating in the profits. We exported the last year, he believed, manufactured goods, nearly to the amount of three millions. The establishments which furnished these could not gain by duties upon importation; that their expenses would be increased, though their profits could not. Mr. L. enlarged for some time upon this subject, and attempted to show that the system of laying a high duty upon every process of manufacture must frequently produce this effect, that, to encourage a manufacture which employs but a small number of hands, and is comparatively unimportant, we may raise so high the price of an article which supports the industry and subserves the comfort of a large class of the community, as to produce general inconvenience. He appealed not to theory but fact. We were anxious in 1816, to encourage the rolling of copper. We did so, and laid a duty upon copper in sheets. Two establishments have been maintained, which are said to employ

54 workmen, and it is computed that 4,000 industrious men, the braziers who work up this copper, (whose industry even began to furnish articles for exportation,) have suffered heavy and general injury, which has extended to all their customers—to a large portion of the community.

The view on which peculiar reliance appeared to be placed for the defence of this bill was that which was connected with the alleged failure of our policy hitherto in respect both to the industry and revenue of the country. He had heard these arguments with surprise. He should hereafter make some observations upon a comparison between our import duties and those of the nations of Europe. But, was it enough to condemn our policy that it was not European? It is yet more true of internal taxes than of imposts that the nations of Europe are very far in advance of us. Their establishments of other kinds differ more than their tariffs from those of the United States. We had ventured, however rash it might be thought, "to adopt principles which had not been tested" by their experience. And, had we suffered for our temerity? Had our experiment really failed? What nation in Europe had advanced more rapidly to prosperity and wealth, by the most successful wars, than had the United States without a conquest, by the mere development and natural growth of their resources? Let their policy be changed if it must be so, but let them not be ungrateful to the wisdom which had directed, to the Providence which had favored them. The nominal value of property might change: the currency might rise or depreciate; but a population, quadrupled in less than fifty years, and a production increased in a yet larger proportion, furnished no evidence to condemn the scheme under which such prosperity had resulted. Independently of the protection of property, which our laws afforded, the principal cause of a growth so extraordinary must be found in the high rewards of labor. In new countries, where land is not yet fully appropriated, labor always obtains a high price in the raw produce of the earth, and generally but a small one in manufactured articles. It has been the happy peculiarity of our situation and of our policy that the laborer has obtained as large an amount at any where else of the necessities which agriculture furnishes, and a much larger one of the comforts which manufactures provide. The statesman may mar his condition but cannot mend it. He cannot raise his wages estimated in the produce of the earth, and by a large foreign impost he must lower his wages if you estimate them in the manufactures which he must consume.

But, our scheme of revenue has failed. The house would have hereafter a better opportunity of examining this subject than they now have. He would not represent the state of the revenue as prosperous—but perhaps it was a proof that the prosperity of a few years had rendered our expectations unreasonable; that we looked almost with dismay upon the finances of a year, in which, if we deduct what we propose to borrow, from what we pay of public debt, there will still be an amount of debt extinguished, of upwards of two millions and a half, (about half of which will be Mississippi stock.) After paying every current expense,* and applying large sums in increasing the navy and

fortifications of the country, we should owe less by upwards of two millions and an half, on the 1st January, 1821, than we did on the first of last January.—He did not think, that the prospects of succeeding years, (looking to the average of several years) were as bad as they had been represented, unless they were made so by this bill. If the gentleman from Pennsylvania proposed to open new sources of revenue, his scheme would deserve the examination of the house. But, if Mr. L. understood his plan, it was founded on a motion which was erroneous in its principle, and must be oppressive in its application.

The revenue which the impost furnishes, is paid by the consumer, and not by the merchant. It is paid in the enhanced price of the article which he buys. The gentleman from Pennsylvania seems to think, that if, by excluding this article, he is forced to consume only the domestic fabric, the government, which has not received its accustomed duty upon the importation of foreign, may collect the same amount by an excise upon domestic articles—"the money has not been carried out of the country." If, indeed, by ceasing to import the foreign fabric, the domestic article is furnished to the consumer at a lower price, he may pay a tax upon it—but the tax which was paid in the price of the article is not reduced by its exclusion; it is, indeed, so far as the farmer is concerned, increased—he pays more for the articles which he buys; his expenses are greater; his clear revenue less. Is there any legerdemain by which, under these circumstances, his ability to pay taxes can be increased? You tell him that he paid before a certain tax to the government, and that he does not pay it now; he answers you, that he pays a higher tax, because he pays a higher price now than he did formerly, and that it is not his fault that this tax goes into the pocket of the manufacturer, and not into the public treasury. If, in addition to the exclusion of the foreign article, you lay an excise upon the domestic product, it is evident that the country must pay a double tax, although the government will not receive it. It is hardly possible, however, to reason upon this subject. The ability to pay taxes must be diminished by every thing which adds to the expenses (as the exclusion of foreign goods must do) of those who are to pay them.

Something had been said of the expenses of collecting a duty upon domestic goods, and the higher expenses of excluding goods seemed to be forgotten.

Some gentlemen admit that the proposition of his friends from Virginia, that individuals would pursue that course of industry which would be most profitable to themselves and the country, would be true, if other nations as well as we, would "leave trade to itself." Their concession was injudicious. If all nations admitted a free trade, the arguments for restriction on our part would be just the same as they are now.—What would be the inducements to us to admit this trade? That it furnished us in exchange, for products, which to us were worth one hundred millions, products which were worth one hundred and fifty—that what we bought, was worth more to us than what we sold; and if those nations could not buy the one hundred millions, if they could not, or would not buy more than fifty or twenty millions, the argument would still be unchanged even in its form. However reduced might be the amount of the trade, it must still consist in an exchange of what we wanted more. In this view of the question, which appeared to him a very simple one, it was not necessary

*This statement was founded upon the supposition, that one million and a half would be borrowed. If the loan, as appears now to be probable, should be of three millions, the actual reduction of debt in the year 1820, will be only one million.

to remark upon the argument, that our supply of agricultural produce would grow in a much larger proportion than the demand of Europe or its population. It might be better for us that their demand should grow more rapidly; but if it would be to our advantage to supply a great demand, it was to our advantage too, though in a smaller degree, to supply even a less demand. This difference, however, in the increase of the agricultural produce which we should export, and the foreign demand for it, might be expected to have been illustrated by experience, as well as developed by theory. What was the fact? All admit that the proportion of our industry employed to produce bread-stuffs for foreign consumption, ought to bear a continually lessening proportion to the general industry of the country. But, is it necessary that the government should interfere to prevent the inordinate increase in the quantity of provisions which we exported, or can the people manage that matter without our interference? Whoever will take the trouble to examine the account of our exports for twenty years past, will find that, while the products of our industry at home have probably quadrupled, our exportation of provision has not increased at all. It is not then necessary that we should force, by legislation, the industry of the country, into any new direction, in order to prevent it from glutting the corn market of Europe.

Mr. L. said, that he would return for a moment to the consideration of the question, how far the propriety "of leaving things to themselves," was affected by the opposite system which was pursued by foreign powers. If China should by law admit all our produce, manufactured or agricultural, it is plain enough that we could not advantageously send there any, which we do not now send.—Indeed he did not know that she prohibited any of our produce, but if she did, the prohibition was nominal, and it was evident that its removal could not change the policy which it was our interest to pursue. But perhaps China belonged to a sphere of industry too different from ours, for the application of these principles. Would the admission of the products of our industry by the nations of Europe justify, in the estimation of the friends of this bill, the reciprocal admission of theirs? Of what avail would it be to us that England should consent to take our manufactures? An engagement to do so would "keep its promise to the ear, but break it to the sense." Our bread-stuffs she takes now only when wheat is above ten shillings, (when by the bye it is most our interest to sell it.)—Suppose her laws permitted its importation when the price was low, would any friend of the bill avow that this policy, which would make the establishment of manufactures here a matter of somewhat more difficulty, would incline him to dispense with protecting duties in favor of our manufactures? He put it to the candor of his friends on the other side, to say whether they would consent to a treaty by which the raw produce of America, and the manufactures of England, should be exchanged without duty?—They would not. Their objections to an intercourse unburthened by duties, would be still stronger than they now are, if Europe, in affording a better market for our agriculture, should oppose still stronger difficulties to the establishment of manufactures.

Yet it was true that those who wished to impose heavier duties or prohibitions upon foreign manufactures, alleged that by doing so, the price of agricultural produce would be raised. It was equally true, and more strange, that a great many good

people interested in agriculture, had believed the allegation. The error was susceptible of easy refutation. If, indeed, the allegation were just, the manufacturer would gain nothing by the change. If the prices of what he buys and sells, rise in the same proportion, he might as well leave every thing as it is. But, the notion that the encouragement of manufactures will give a good price to the productions of agriculture is entirely fallacious. Whatever may be the domestic demand for our grain, the supply will exceed it.

As long as there is good land unoccupied, the price of its produce, if there be no foreign demand, will exceed by very little the value of the labor employed in obtaining it. Such must be the case with a permanent embargo. But when there is an export trade, although the quantity exported may bear a small proportion to that which is consumed in the country, the price of that small proportion must determine that of the whole. He did not say that this was a reasonable theory, but a notorious fact. It was a plain deduction from these principles, that, in an extensive and thinly peopled country, restrictions upon trade would raise the price of manufactures, but not of grain. In a populous and fully cultivated country they would raise the price of grain, and not of manufactures. The last is the situation of England; the first that of the United States.

But the opinion that the establishment of manufactures would secure a good price for our agricultural produce, had made so many converts, that it would be interesting to enquire into the causes which had produced it. He could not dwell upon the subject. But, when manufactories and banks were established contemporaneously, (and this association he believed not to be uncommon;) when manufactories were established by the aid of borrowed capital, and profuse expenditure produced a local depreciation, the same effect was produced upon prices as an emission of paper money would have done. Every body was willing to spend; every body began to improve and build, and industry was stimulated to extraordinary activity, as it always is, by a depreciating currency. The remarks which he had made a few moments since, were enough to shew how perfectly illusory all duties upon importation must prove for the protection of our agricultural industry. The price of our agricultural products must be determined by that part of them which is exported, and must in consequence be absolutely unaffected by duties, or even prohibitions. Gentlemen might, therefore, lay duties, or withdraw them from cotton, wheat or tobacco, and they would change nothing but the words of their statute books.

If it were ever right that government should impose its duties, with a view to the encouragement of particular branches of industry, Mr. L. said he had always believed that the two most reasonable modes of doing it were these: either to lay a very small and equal duty upon all manufactures, which would leave the relative inducement to engage in each unchanged; or to determine upon a very few branches which the government supposed to be best adapted to the situation of the country, or most necessary to its interest, and leaving others untaxed, (if revenue permitted it,) to direct the capital and labor of the country to these objects, where they might form a sufficient security against an excessive rise of prices. The last was the more vigorous plan; perhaps it was the wiser one. Yet it was best adapted to a condition very different from that

of the United States: he meant that of an enlightened government and an ignorant people.

Whatever were the encouragements which should be afforded to manufactures, it had always hitherto been supposed that these were required to be greatest at their first establishment. The reasoning of his friend from Delaware supported this conclusion. Mr. Hamilton had said distinctly, that, where any branch of industry continued long to require a bounty, it afforded proof that there were obstacles to its establishment which would make it unwise to persevere in it. Yet our system was not to continue bounties, but to increase them.

A strong argument, in the opinion of many gentlemen, was deduced from the large excess of importations above exportations, in order to shew that it was necessary to interfere, and prevent the people from buying more than they could pay for. He had hoped that this subject had been put to rest by his friends from Virginia. An excessive importation may, indeed, take place for a year, although the price will usually be so much lowered by it that the amount of sales of a large, may not be greater than would have been those of a small importation. This disproportion, however, between the supply and demand, between the sales and the means of payment, can continue but a short time. The price of American stocks here and in England; the present rate of exchange; sufficiently prove that our interference is unnecessary in fact, (as it must always be wrong in principle,) to adjust the balance of payments between the two countries.

So much had been said of this balance of importation above exports, that he might be excused for another remark. Gentlemen knew the corrections, (and among them those required by a consideration of the profits of freights, commission and trade,) which ought to be applied to our custom-house accounts. These corrections would vary the balance very much, but they would leave a result in which he should feel little confidence. There is, indeed, a view very different from that which the friends of the bill have taken. The balance of importations above exports, for a series of years, may not only be considered as the proof of a profitable trade, but the measure of its profit. Our trade with foreign nations is one, in which we obtain their produce in return for our produce or our labor, and the more valuable their produce is, the better bargain we have made. We should not, as individuals think, it the evidence of unsuccessful business that we obtain in exchange for an article worth but 1,000 dollars, one which was worth 2,000. Yet this is exactly the thing which is called by politicians an unfavorable balance of trade. In such a system, if the vessels which carry out your productions, and are owned by your merchants, are sunk in the sea, or carried to a market where their sales pay only their expenses, no returns can be made; the balance becomes very favorable and the politician is satisfied. If the cargoes reach a market which enables the merchant to bring back large returns, the balance becomes unfavorable. A permanent balance of importation (in a nation that has no mines,) must always be referred to the profits of its business. It was different with the excess of a single year. This, however, when it required correction, would, as his friends observed, always be corrected by the interests of trade without the interposition of the government. Could it be necessary that we should interfere by law to diminish importations, at the moment when we see that an unparalleled reduction is effecting, without our interference? The importation of the last quarter of the year 1819, was not more than

two-thirds of that of the corresponding quarter of 1818.

Mr. L. said that, in the detached observations which he had offered, he had endeavored to remove the impression which some of the general arguments of the friends of the bill had made. The propositions which to his mind it appeared necessary that they should establish, they did not prove—they scarcely noticed. Grant that it is right that the government should encourage all the manufactures of the country, that considerable duties should be laid upon the importation of every article which can compete with our own fabrics.—This we have done already. He believed that there was now no nation in the world which, in proportion to its income, paid so great a bounty to its manufacturers as the United States. Had it ever been contended, not merely that manufactures should be encouraged, but that the bounty to be given should not be limited by any determined relation to the necessity of the manufacture, or the fair profits of the manufacturer? This mode of defending the bill was, perhaps, judicious; it was certainly embarrassing to its opponents. You say that it is important to encourage the manufacture of cotton. Be it so. We know that, however it be disguised, this can be done only at the expense of the other classes of society. Is it not proper to enquire what expense is necessary; what would be adequate? The operation of a protecting duty was simple, but he must detain the house for a few moments upon this subject, trite and familiar as it was. Where duties are laid upon the importation of articles of a kind which is not produced within the country, the additional price which is paid by the community is received into the public treasury, with a reduction only for the costs of collection.—Where a duty is laid upon the importation of an article which is produced within the country, it will cause the same rise in its price as in the former case: but of the additional sum which is paid by the community, a part will be received by the government, and a part by the manufacturer or producer of the domestic article. If, for instance, one hundred million of pounds of sugar were consumed annually in the United States, and three-fourths of this amount were furnished by domestic industry, an additional duty of one cent the pound would cause the consumers of sugar throughout the country to pay one million of dollars more in the price of the article, than they would otherwise do—would impose upon the people a new tax of one million: but of this sum, less than 250,000 would be received by the government, and 750,000 by the sugar planter.

The difference between the gentleman from Pennsylvania and himself, in respect to the information on which a tariff should be founded, was explained by this case. He thought, if congress determined to encourage the production of sugar, by an additional bounty, that it was bound carefully to enquire what sum was necessary for this object. To justify the tax it was necessary to determine that the nation had such an interest in the establishment of the additional sugar plantations to which the bill was expected to give rise; that it was worth its while to contribute annually 750,000 dollars to their support, and that a contribution of less than 750,000 dollars would not cause their establishment. If the bounty in question were greater than the value of the object justified, in any rational view of public policy, we applied the money of the country injudiciously; but if a less bounty would produce the effect which we desired, we gave it away without object and with-

out excuse. It was in this view that he had asked of the committee of manufactures information to shew what were the duties upon foreign importation which would give to our manufactures a reasonable profit on their capital and labor. Every thing beyond this was not a liberal encouragement of manufactures, but a profuse and capricious donation of the public money. Suppose that the 750,000 dollars which, on the supposition which he had made, were given to the sugar planters, instead of being paid to them by the consumers, were raised by a direct tax, and then paid, as a bounty, out of the public treasury. This would form no distinction in the principle of the donation. Mr. Hamilton had said, with perfect correctness, that "as often as a duty upon a foreign article make an addition to its price, it causes an extra expense to the community for the benefit of the domestic manufacture. A bounty does no more." The information which he had wished, was, whether this bounty was to be given to men whose profits and wages were now less than those of the rest of the community; and what were the profits which it was estimated that this bounty would procure them; in a word, how much public money we should give, and what was the necessity of giving it. The house, in rejecting his resolution, had determined that, the enquiry was useless or impracticable. They had refused all evidences as to the proper degree of encouragement, and left the defence of the bill to the same vague considerations which would support a duty of 100 per cent. as well as one of 40. *They took, they knew not how much, from the people; they gave, they knew not how much, to the manufacturer.*

The chairman of the committee of manufactures had intimated that information such as he had asked, had never been given. He might answer, that it ought to have been. But the chairman was mistaken. It had been. Mr. L. read the following sentences from Mr. Dallas' report of 1816, on the revision of the tariff:—"The amount of the duties should be such as will enable the manufacturer to meet the importer in the American market upon equal terms of profit and loss." "There still, however, remains a diversity of opinion as to the amount which will be competent, and the aim of this report will be to strike the medium which appears to be best established from all the information which has been collected." This sentence proved that the rates of duty proposed in the report of 1816 were founded on evidence of the *degree of encouragement* which would enable "the manufacturer to meet the importer." That evidence was laid before the house. It contained, substantially, and indeed much more fully than he should require it, all the information in respect to the state of our manufactories in 1816, which it was the object of his resolution to obtain in 1830. He should have occasion to advert to this information hereafter. It proved, at least, that the object of his resolution was practicable, and had hitherto been supposed important and necessary.

The practicability of its object, too, although the speaker had appeared to doubt it, had been proved by the statements which he had made in respect to two northern manufactories. If the house were determined to give adequate protection to any branch of manufactures, the same kind of information possessed by the speaker, as to the manufactories of which he had spoken, if extended to fifteen or twenty others in different parts of the country, would enable us to know, what bounty was necessary and adequate to their support. That bounty ought not to be increased to maintain the unskilful

and improvident: and he admitted, that (if granted at all) it ought not to be contracted so as to afford support only to an establishment which had peculiar advantages beyond the reach of imitation.—He did not know, however, of any such in the United States. In examining the degree of encouragement which it was proposed in this bill to give to American manufactures, we were naturally reminded of the view which had been taken of the subject by Mr. Hamilton, whose principles are considered as sound, even by the friends of this tariff. He, at least, was able to elevate his view to the just importance of manufacturing industry. Let us see the price which he proposed to pay for its support. The general tenor of his argument, and indeed the particular quotation which had been made sufficiently prove Mr. Hamilton's opinion to have been, that, whatever bounties were given to domestic manufactures should be highest at first. The duties, therefore, which he proposed in his celebrated report on manufactures, were such as he thought sufficient then, and such as, according to his principles, ought to be sufficient now. In forming his opinion, he did not overlook the advantages which the risk and expense of importation from abroad give to the American manufacturer. This protection of distance he estimates at from 15 to 30 per cent. Mr. Lowndes said he would state, without a formal comparison, a few of the duties which Mr. Hamilton proposed for the encouragement of manufactures. On manufactures of leather he proposed a duty of 7½ per cent. He was willing that cotton goods should be "raised to 7½ per cent." On glass, he considered the duty of 12½ per cent. as a considerable encouragement, and thought that, if any thing further were given, it ought to be by a direct bounty out of the public treasury. Ten per cent. on paper and gun powder he thought a competent protection; and he proposed the same duty on manufactures of iron and brass. His principles were best explained by the application which he had himself made of them; and the enormity of the bounty which it was now proposed to give to the manufacturers could not be more strongly exhibited than by comparing it with that which was considered as adequate by so zealous and able an advocate of manufacturing industry as Mr. Hamilton. Duties four times as great as he recommended were now levied upon many of the most important articles, and were discovered to be insufficient and nugatory!

What he regretted, Mr. L. said, most, in the course pursued by the committee of manufactures, was, that they suggested no standard by which the sufficiency of the encouragement which they proposed could be tested, and promised, therefore, no limitation to the burden which might be imposed upon the country. The chairman of that committee had, indeed, more than once, directed our attention to the duties imposed by the laws of Russia, France, and England—models which we had not yet learned to imitate. It was not extraordinary that governments which were obliged to drain every resource of revenue, should lay heavier duties upon importation than we had done. There was no part, however, of their system of exaction in which we approached so near them, as in our duties upon commerce. In attempting any comparison between their duties and those of the United States, it was obviously necessary to consider the difference of our circumstances.

In estimating the protection afforded to national manufactures by duties upon importation, it was not the absolute amount of duty that constituted a

protection to the home manufacturer, in the case in which there was an internal duty upon the article, but only the excess of the foreign over the internal duty. Thus, if, in 1786, (before the commercial treaty between France and England,) the duty payable upon the importation of English hardware into France had been 50 per cent.; as the internal tax upon French hardware, if his memory did not greatly deceive him, was about 30 per cent. on its value—the true amount of the protecting duty would have been but 20 per cent. The enquirer, then, who should wish to know the real encouragement afforded by foreign duties must apply to all of them the correction deduced from this principle; and it would probably reduce many of them, which appeared greatly to exceed our own, to an amount less than was exacted even under the present law in the United States.

The high duties of European nations, when they were not counteracted in the manner which he had mentioned, were mitigated by another circumstance, which could not be neglected in an estimate of their burdens. In nations of the same age, not very unequal in the density of population, and in their improvement in the arts, if trade were perfectly free, a large proportion of the necessities of life, including nearly all the coarser manufactures would be cheapest at home. A duty upon these would, in such countries, be nearly nominal. Among the European nations, too, if trade were free, the whole amount of importations would bear a much less proportion to the whole income of the country than in the United States. He supposed it certain that the importations of England, commercial as she was, were not half as great, in proportion to her income, as were those of the United States at present; nor were our importations now by any means as large, in proportion to our wealth, as in an earlier period of our existence. The duties which we pay now would have been intolerable ten years ago; and European duties, however high, upon the articles imported, do not fall heavily upon the subject, because those articles form but a small part of his expenses.

If he did not exaggerate the deductions which the considerations which he had mentioned, require us to make from the duties of foreign nations, in comparing them with our own, he believed that no people on earth would be found to pay, in proportion to their income, so large a bounty for the support of manufacturing industry as those of the United States. He had not, however, had time to examine the details of the subject with any minuteness.

Unfair as the comparison between the duties of foreign nations and our own, must be, unless the corrections which he had adverted to were made, it might well astonish the house to find that there were many articles, and important ones too, our duties on which, as proposed by the bill before the house, might vie with those of France and England, without recurring to any of the considerations of which he had spoken. He would notice a few of them.

In France, machines of all kinds, including ploughs, pay 15 per cent.; by the proposed bill they will pay here 20 per cent. Wrought anchors pay in France 10 francs the hundred kilogrammes; by the proposed bill, they will pay here \$3 33 the cwt.—more than three times the French duty. Hosiery is in France 2 francs the kilogramme; by the proposed bill it will be here 33 per cent.

Whatever may be the disposition of England to sustain her manufactures by protecting duties, she

has been obliged in her late war with France, by necessity, and not judgment, for the support of her revenue, and not her industry, to make these duties still higher than they were before. But our manufacturers might be gratified by discovering that some of the duties now proposed were higher even than those of England. The superior liberality at least of this country can hardly be denied by them. England, assisted by a most rigorous system of collection, has raised her duties, from the necessity of increasing her revenue, by all possible means. The United States propose to raise theirs with the just conviction that they will impair their revenue.

In England the duty upon cast iron is 26*l.* 15*s.* 4*d.* the hundred pounds value; by the proposed bill it will be \$1 50 the cwt.—(he supposed about 40 or 50 per cent. ad valorem.) Nankin, for home consumption, is, in England 32*½* per cent. ad valorem; by the proposed bill it will here be 40. Muslins are, in England, 32*½*, and cottons not enumerated, 62 per cent.; by the proposed bill our duties on these articles will be from 40 to 130 per cent.

Much as such a course of observation had been discountenanced, he must now advert to another topic. What were the duties which would afford to the manufacturers reasonable wages and profits? If, at a time when every interest in the state was depressed, it was right that all the rest should contribute to the support of one, at least it should be only to its necessary and reasonable support. He had before spoken of the evidence laid before the house in 1816. That evidence had led congress to the conclusion that, where the capital was prudently invested, and the manufactory conducted with common skill, a duty of 25 per cent. on cotton and woollen manufactures would sufficiently protect those of our own country. But the circumstances of the time now make the duty of 25 per cent. much more effectual than it has hitherto been. The appreciation of our money is, in this view, all-important. In the specific duties this is obvious. If, for instance, the duty of three cents upon the pound of sugar, were a competent protection four years ago, the advanced value of money, of which the same nominal amount would produce much more of every article of consumption, must make it now much higher than is necessary. But, even in relation to the articles which pay a duty on their value, if the fall in the value of our produce be greater (as it certainly is) than in the articles which we import from foreign countries, although the nominal duty be unchanged, the real tax is much larger than it was. We still pay 6*½* cents upon a yard of the coarsest cotton; but the same amount will purchase much more of provisions or labor than it would do formerly. The duty, then, is substantially increased; and if it has hitherto, with exaggerated prices and an unsound currency, proved inadequate, would it not be prudent, now that a change in these circumstances gives to the present tariff its fair operation, to wait the result of that operation?

The depression in the price of property and labor was confined to no section of the country, and to no branch of business. The manufacturer, like the farmer, should estimate his profits not on the supposed value of his capital four years ago—not on what it then cost, or would then have sold for, but at the price which it would now cost, or would now sell for. Against this general depression we could not indemnify him; but there was a loss peculiar to manufacturers, from which no government

could insure them, and which many of them felt very severely at this time. Whilst an improvement in machinery is useful to the country in which it is made, its immediate effect is often greatly to impair the capital of manufacturers. The old machinery must be abandoned. What relief would higher duties give to the owners of manufactories which had not adopted the improved machinery? It might encourage them to struggle a little longer with inferior machinery, but without permanent benefit, even to themselves; it must produce a real waste of the capital and labor of the nation.

Among the causes which at this moment depress the manufacturing industry of the country, one of the most considerable is to be found in that general diminution of income which affects the demand both for foreign and domestic productions. The carriage makers, for instance, suffer probably as much from want of employment as any other class of manufacturers. There is here no foreign competition. It is a distress from which our tariff can give no relief. On the contrary, its effect must be by increasing the expenses, and diminishing, therefore, the clear income of the community, greatly to increase the difficulties of all those classes of manufacturers who suffer from a diminished demand.

His friends who had preceded him had referred to instances of manufactories which were prosperous even now, when every other industry was depressed, and particularly to that of an establishment (at Waltham,) which was understood to have divided twelve per cent. and reserved a considerable surplus. The committee of manufactures, in declining to give any detailed statements upon the subject, had obliged him to resort to the sources of information which were within his reach. He should state to the house the opinion which his enquiries had enabled him to form, and he should state it in the words of a letter written by a man who was as well acquainted with the subject as any other in the United States. [Mr. Baldwin asked the name of the writer which Mr. L. declined to give.] "Many manufacturers have been ruined, and many others lost money, but very little reflection and enquiry will make the cause evident. Perhaps the business has been conducted to the best advantage, when, in addition to the want of capital and experience, is added that of incorporated companies, where the principal meaning of the charter is to exonerate each holder of the stock, as well as the president, directors, and agents, from individual responsibility, for any debts due from the company. Consequently, in all purchases for the establishment, the agent would be obliged to give at least ten per cent. more than the individuals could purchase it for on their own responsibility.

"But, perhaps a greater cause of loss may be in the general fall in the price of every article used by manufacturers and in all kinds of manufactured goods, whether foreign or home made, and also in the price of labor and improvement in machinery, compelling those that did not sell immediately on the goods being finished, to make heavy losses, for we suppose it is admitted that the cost of making any goods of which cotton or wool is the article of chief value, is not more than half the cost of making the same goods in 1816.

"In order more clearly to shew the consequences of not immediately selling, we give the following example, arising in our own business. We supply a maker of candle wick with cotton, and sell all the wick he makes, and during the year 1818, the business having been good for many years, he, with

others engaged in the same business, had accumulated a considerable quantity on hand, which, during the year 1818, had been worth fifty to fifty-five cents per pound, when the raw material of cotton was worth from thirty to thirty-three cents, paying the spinner an average of twenty cents the pound, for his labor and expenses: but on the 1st August last, the same kind of cotton could be purchased in this market at fifteen cents the pound, and the price of wick had fallen so low as thirty one cents, but yet paying sixteen cents for the labor and expenses, which, we are convinced, is a profitable business.—Hence, on the 1st of August last year, he could afford to sell his wick at what the cotton of his 1818 wick cost him, and, at the time we were selling his new made wick at a profit, that made the year before was selling at a loss of the whole cost of making; and many kinds of American goods have fallen in nearly the same proportion, from the same cause and some still greater from other causes; for instance, we suppose the price of weaving is not at this time more than half as high as it was in 1816, owing to the introduction of power looms, and the general low price of living.

"Next, let us examine the cost of four yards of American brown shirtings, three-quarters of a yard wide, (which may be considered the staple of American cotton goods,) say the present price of cotton is sixteen cents, that will make four yards of shirting:

12 cents for spinning the same,
8 cents for weaving four yards, at two cents per yard.

4 cents for all other expenses, say commissions, freights, cartages, packages, &c.

"Added, is forty cents for making four yards, equal to ten cents the yard, and when the same goods are now worth from twelve to twelve and an half cents the yard cash at auction, leaving a profit to the manufacturer of at least twenty per cent. and when we reflect that the coarsest piece of cotton goods of the same size cannot be imported without paying duty at the rate of 6½ cents the square yard, equal to 4 68½ cents, or within about 1½ cents of the whole cost of making the same piece of goods, hence we must be satisfied that foreign competition is very much out of the question, for the lowest rates of duty on any kind of cotton or woollen goods (made to any extent in this country) is 27½ per cent. on the value at the place of manufactory.

We do believe that manufacturing establishments, well conducted, and the goods immediately sold at auction, have averaged a profit of at least ten per cent. during the last two years, when, at the same time, imported cotton and woollen goods have averaged a loss of at least fifteen per cent."

Mr Lowndes said, that he would say no more as to the degree of additional encouragements which was required by our manufactories.

But he had a few observations to make as to the principles which appeared to have been adopted in the tariff proposed by the committee of manufactures.

Among the most objectionable of these was, what he considered as the proscription of the East India trade, the principal articles afforded by which were subjected to a duty of forty per cent.

The ground of this proscription, was that the East Indies took from us scarcely any article of our produce.

He had occasion on a former day to advert to one of the most interesting branches of this trade—to that in which neither specie nor produce was exported, but in which the enterprise and industry of

our seamen formed the capital which a harsh, and, he thought, a mistaken policy, would condemn to inactivity. They took nothing from your country; but they explored the most distant seas—they climbed almost inaccessible rocks—they pursued their hardy and dangerous employments between the ports of savage nations, and earned by their freights a capital which fortune had not given them. You would encourage manufacturing industry because it was productive; but the industry of the brave men of whom he spoke, created the capital which they brought back to our country. They did not twirl the spindle, or fling the shuttle, but when they brought home a cargo of India fabrics (peculiarly suited to the wants of the poorest class of our society), was their industry less worthy of encouragement, because they had made these fabrics on tempestuous seas, or because, in pursuing their own interests, they acquired and perfected the naval excellence which made them our pride and our defence? We gave them the hospitality of our ports; they might take in wood and water, and sail in search of some strange land, from which these products of American industry are not yet excluded! The policy appeared to him unjust and cruel.

But the other branches of East Indian trade merited encouragement, rather than prohibition. He had already spoken of the fallacy which represented a trade to be injurious, in which the imports exceeded the exports, and the East Indian trade furnished a good illustration of the fallacy. It takes, if you please, nothing of domestic produce from us; it gave to the consumption of the country, in the year when he had last examined the subject, an amount of goods to the value of five millions. How were these goods paid for? Specie had undoubtedly been shipped both from America and Europe for their purchase. But our sales of East India articles in foreign countries had exceeded the amount of our purchases in India. Five millions of goods then consumed in the United States were paid for by the mere profits of the trade. Three thousand seamen, supported by the requisite capital, added in one year five millions to the clear amount of national income. There was no exportation of our produce to pay for these fabrics, because they were paid for already: they were the acquisitions of American industry.

He would not detain the house by talking of the injury which the Indian trade was supposed to do us by draining our specie. How the purchase of merchandize, either in India or any where else, of which we kept the part that we wanted, and sold the remainder for more than we gave for the whole, could lessen the specie which we retain, it would be a little difficult to explain.

Another characteristic of the proposed tariff, is its raising the duty on articles which had been lowered in the act of 1816, because from their small bulk, in proportion to their value, it had been found impracticable to prevent their being smuggled into the country. Watches, jewellery, and laces, had, among other articles, been reduced to 7 1-2 per cent. The reduction had been proposed by the secretary of the treasury, and adopted by the house on this ground. Had any examination into the fact been made by the committee of manufactures? They had raised other articles also which were known even at the present duties to have been introduced clandestinely—for instance, coffee from 5 to 6 cents, sears from 2 1-2 to 5 dollars. A large class of articles, of which the supply is almost exclusively afforded by the industry of

the country, and on which an increased duty, if it has any effect at all, can only have that of unnecessarily increasing the price, is taxed in the proposed tariff considerable higher than now. Thus, carriages and furniture are raised from 30 to 35 per cent. boots from 1 1-2 to 2 dollars; candles from 3 to 5 cents; molasses from 5 to 10 cents; nails from 4 to 5; soap from 3 to 4; brown sugar from 3 to 4. He might make the list much longer.

It might have been expected that articles essential to the equipment of ships would have been protected from an increase of duties by a double motive. As materials of our most important manufacture, they were entitled to the favor of the committee; but there was, in regard to some of them, another reason for light duties—that it was necessary to prevent the practice of ships being sent out imperfectly equipped and completing their equipment in foreign ports. Even under the present duties this was sometimes done. The committee, however, had disregarded both these considerations. As instances of this, iron in bars was raised from 75 cents to 1 25; iron spikes from 3 to 4; hemp from 150 to 250; tarred cables and cordage from 3 to 4. The tendency of the whole system to discourage our commerce with foreign nations, and by making returns more difficult to sink yet lower the price of every article of our produce, could not be disguised. He would not enlarge upon it; but he could not sit down without advertizing to a consideration on which the house could not reflect too seriously.

The best security for the fair collection of the revenue was to be found in the force of public opinion. The activity of our little navy, if it were to be employed in such a service, would furnish but a poor substitute for it. In the fair collection of the public revenue the interests as well as the principles of our citizens co-operated with the efforts of the general government. They knew that they must contribute to the support of that government and the imposts was the easiest mode of contribution: To evade it was to defraud the government of its just dues, and to expose themselves to the necessity of a much more inconvenient contribution. But could it be expected, when the object of duties was not to obtain revenue, but to enhance the profits of a particular class of society, that the same scruples would prevail universally? In purchasing an article intended to be prohibited, the loss would fall upon the manufacturer, who might be considered as the object of unjust and inordinate favor, rather than upon the revenue. The law ought to be obeyed because it was the law. But for himself he had no hesitation in expressing the opinion that the present duties, enforced as they were by a general approbation of their objects, furnished a much better encouragement to the manufacturer than higher duties which should be believed by half the nation to be partial and unjust.

Mr. L. said that he knew he had trespassed quite unreasonably upon the time of the House, but he believed the bill under consideration to be injurious to the government, oppressive to the people, and dangerous to the stability of manufacturing industry.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

London dates of May 3.

King George the fourth has caused it to be officially announced in the London Gazette, that his birth day shall in future be celebrated on the 24th

of April, instead of the 12th of August, the actual day of his nativity. [The cause of this is presumed to be, the season - In April, the court party is in town—in August, generally in the country.]

The celebrated Arthur Young died at London on the 13th April, aged 80 years.

Lord Byron is just finishing a poem on the barbarous conduct of his countrymen to the people of Persia.

It is intimated that a negotiation is going on between two illustrious persons, which will probably result in the continuance of the lady (the queen) abroad.

The merchants of London, engaged in trade with Spain, lately gave a splendid dinner in honor of the revolution in that country. One of their toasts was—"the honorable Mr. Forsyth, United States' ambassador at Madrid;" who was thus noticed, we suppose, because he promptly congratulated Ferdinand on his acceptance of the constitution.

Ireland is still disturbed the spirit of insubordination appears to be extending.

A considerable part of the population of Lancashire, in which Manchester and several other great manufacturing towns are located, are of the Roman catholic religion. A person, signing himself "J. Milner, D. D. Vic. Ap. Mid. Dist." has published an address, dated at Wolverhampton, Oct. 28, 1819, to check the "spreading infection of turbulence and revolution." He exhorts the clergy of his church to vigilance, because "ten thousand of our heroic brethren—priests of the catholic church," suffered "martyrdom" in France—but he neglects to tell the people that this church was the *antipath* one in that country. He feebly complains, however, that a few penal laws remained to distinguish the catholics from the other good subjects of the king.

The London Times, of April 14, states, that Mrs. Garrick, relict of the late David Garrick, esq. visited Drury Lane theatre on Saturday night, to witness the performance of the "broad farcical pantomimical drama, *Shakespeare versus Harlequin*," which was written by her celebrated husband—She was handed from her carriage to her box by Mr. Elliston—she is now in the 108th year of her age.

A man publicly sold his wife at London on the 28th of April—she had a halter round her neck, and was disposed of according to law!

A petition to parliament is circulating in London requesting a repeal of the existing laws relative to trade and navigation; and praying that ships of all nations may be admitted free into the United Kingdom, under the same regulations as British vessels.

The *ad valorem* duty, on British manufactured goods, exported from Liverpool, amounted, for the first quarter of the year 1819, to upwards of 13,000*l*. For the first quarter of 1820, the amount was only 5,700*l*. A great falling off, indeed.

Average price of grain in England and Wales from the returns, up to 15th April, wheat 69s 2½; Rye, 41s 9d; barley, 36s 5d.

[Grain at these prices, would afford a fine market for the surplus product of the United States—but England will not receive our bread stuffs: she prefers to keep up, and to a most unreasonable extent, the market for her own agriculturists.]

Stocks—April 29. 3 per cent. cons. 68 5-8. American 6½, 101½ a 103; do. 3½ 66½. U. S. bank shares 22½.

Trials for high treason. Sentence of death was passed on Thistlewood, Ings, Brunt, Tidd and Davidson, on the 28th of April, to be executed early in May. They were to be hung, then beheaded and quartered. It is said that they exhibit-

ed "a sort of enthusiastic bravery, and expressed a pride in having an opportunity to lay down their lives in the cause of freedom." The other six persons pleaded guilty, and were respited during the pleasure of the king.

The editor of the London Observer has been fined 500*l*. for publishing an account of the proceedings on the trial of those persons, before the termination of their cases.

We have copies of the speeches of Thistlewood and others, when the usual question was asked, "what have you to say that you should not receive judgment to die, according to law?" Thistlewood's is an able one—it has all the strength and firmness of that which the inestimable Emmet delivered on a similar occasion, though destitute of the same degree of polished eloquence and magnificence of design. He said, that the question was a mockery—it had been determined by Castlereagh and Sidmouth that he should die, and the court was merely the agent to execute him: he affirmed that his trial had been unfair—that he had witnesses ready to prove the infamous character of those who testified against him, who could not be heard, and declared that he was about to be murdered by the court. The narrative of his meeting with a wretch named Edwards is exceedingly interesting. This fellow, who was doubtless in the pay of the government, seems to have been really the chief of the plot—the great advocate of assassination; who proposed the burning of London and supplied the deluded people with arms, &c. But we shall publish the proceedings at length, to shew the machinery of a monarchy; and are irresistibly led to the conclusion, that, though Thistlewood and his associates were criminal, they were directed to that point which is to terminate their existence by an agent of government. We easily believe this, because we know that a scoundrel named Oliver, in such pay, was at the head of several meetings and mobs a little while ago; and that during the "rebellion" in Ireland, many were paid to swear to any thing which the attorney general required, for the conviction of an offensive person.

Emigration. It appears by some remarks of the chancellor of the exchequer, that the 50,000*l*. appropriated by the last parliament to assist persons disposed to emigrate to the Cape of Good Hope, and more, had been expended in the transport of 5,000 persons. That the British N. A. provinces were over-loaded with emigrants, and that the strongest remonstrances on the subject had been received from the government of Canada.

Ancient usages! A London paper of the 13th of April, gives the following barbarous account of a marriage. Now, as the man thus took a wife to get clear of the debts of her former husband, so he may legally release himself from the liability to pay any contracted by her, by putting a rope round her neck and selling her in the public market!

"The following singular marriage took place at Milford church, Hampshire, on the 30th March. A man named Richard Wren, being inclined to take unto himself a wife, selected as the object of his choice a buxom widow, named Moody, who unfortunately had been left by her former husband in embarrassed circumstances, and as the lover declined discharging the debts, the lady, rather than forego the opportunity of being again united in wedlock's bands, was married in no other garment whatever than her chemise; which, in that part of the country, is considered a receipt in full of all demands on the estate of a deceased husband."

British exports. The following is the quantity of white and plain calicoes, exported from Great Britain, during each of the following years: 1814, 50,928, 174; 1815, 66,669,930; 1816, 50,251,102; 1817, 63,525,555.

King's speech, April 27.

"My lords and gentlemen,—I have taken the earliest occasion of assembling you here, after having recurred to the sense of my people.

"In meeting you personally for the first time since the death of my beloved father, I am anxious to assure you that I shall always continue to imitate his great example in unceasing attention to the public interests, and in paternal solicitude for the welfare and happiness of all classes of my subjects.

"I have received from foreign powers renewed assurances of their friendly disposition, and of their earnest desire to cultivate with me the relations of peace and amity.

"Gentlemen of the house of commons,—The estimates for the present year will be laid before you.

"They have been framed upon principles of strict economy; but it is to me matter of the deepest regret that the state of the country has not allowed me to dispense with those additions to our military force which I announced at the commencement of the last session of parliament.

"The first object to which your attention will be directed, is the provision to be made for the support of the civil government, and of the honor and dignity of the crown.

"I leave entirely at your disposal, my interest in the hereditary revenues; and I cannot deny myself the gratification of declaring that so far from desiring any arrangement which might lead to the imposition of new burthens upon my people, or even might diminish, on my account, the amount of the reductions incident to my accession to the throne, I can have no wish, under circumstances like the present, that any addition whatever should be made to the settlement adopted by parliament in the year 1816.

"My lords and gentlemen,—Deeply as I regret that the machinations and designs of the disaffected should have led, in some parts of the country, to acts of open violence and insurrection, I cannot but express my satisfaction at the promptitude with which those attempts have been suppressed by the vigilance and activity of the magistrates, and by the zealous co-operation of all those of my subjects whose exertions have been called forth to support the authority of the laws.

"The wisdom and firmness manifested by the late parliament, and the due execution of the laws, have greatly contributed to restore confidence throughout the kingdom; and to discountenance those principles of sedition and irreligion which had been disseminated with such malignant perseverance, and had poisoned the minds of the ignorant and unwary.

"I rely upon the continued support of parliament in my determination to maintain, by all the means entrusted to my hands, the public safety and tranquillity.

"Deploring, as we all must, the distress which still unhappily prevails among many of the laboring classes of the community, and anxiously looking forward to its removal or mitigation, it is in the mean time our common duty, effectually to protect the loyal, the peaceable, and the industrious against those practices of turbulence and intimidation, by which the period of relief can only be deferred, and by which the pressure of the distress has been incalculably aggravated.

"I trust that an awakened sense of the dangers which they have incurred, and of the arts which have been employed to seduce them, will bring back by far the greater part of those who have been unhappily led astray, and will revive in them that spirit of loyalty, that due submission to the laws, and that attachment to the constitution, which subsists unabated in the hearts of the great body of the people, and which, under the blessing of divine Providence, have secured to the British nation the enjoyment of a larger share of practical freedom, as well as of prosperity and happiness, than have fallen to the lot of any nation in the world."

FRANCE.

A letter, lately received at Philadelphia from Paris, says, "there is no longer any security for our persons—*lettres de cachet* are revived, and liberty is no longer enjoyed in France; to enjoy that blessing we can look no where but to the *United States* or to *Spain*."

Books and pamphlets are seized in France—"BY AUTHORITY;" and editors and publishers are arrested for unknown causes! "*The Bourbons* are restored."

Louvel, the assassin of the duke of Berri, maintains astonishing firmness, and speaks with coolness of his crime, rejoicing in its accomplishment. He looks calmly towards his punishment, and sleeps soundly!

Legislation. The following is another curious specimen of the legislation of France:

In the French chamber of deputies, Mr. Linot made a report and read the petition of a person named I. C. Harbaud, formerly a judge of the civil tribunal of the bar. He solicits from your patriotism [laughs and murmurs,] and from your foresight, a law enacting that, in case of the death, the surrender, or the deprivation of a king of France, all public functions should be suspended till the chamber of deputies should give an order to the contrary.

The petition caused considerable commotion in the chamber. Some of the members thought the petitioner a madman, whilst others considered him one of those persons, who, under the pretext of serving the cause of liberty, endeavor to overturn the monarchy and to break asunder all the ties of society. Mr. Linot proposed to refer the case to the law departments, for the purpose of a public prosecution, to which Benjamin Constant gave his hearty support. He considered the petition in a different light from Mr. Linot. It was, in his opinion, only a part of a plan which he had long observed, to throw odium and ridicule on the right of petition.

M. Cornet d'Incourt looked upon the petitioner as an undisciplined soldier, who had fired before order, and thought the matter a fit subject for a court of justice.

M. de Marcellus saw in the petition of Harbaud, the enemies of the altar and the throne, walking openly abroad, and no longer taking the pains to disguise their blasphemy against Heaven. [A laugh.] He would repeat, that to attack the king was to blaspheme religion; for, in the words of the heroine of France, "*the king of France is the lieutenant of the King of Heaven*."

The petition was unanimously referred to the keeper of the seals.

SPAIN.

It is stated that the *brave* regiment which fired upon the women and children of Cadix, have embodied and resolved to defend themselves, if an

attempt is made to punish them or compel them to accept the constitution. In this determination, two other regiments are reported to be united with them.

A Paris journal, of the 22d, contains the following: "The cabinet of St. James has replied to the official notification of the changes recently produced in the government of Spain, that it sees with pleasure the adoption of a system which England had long considered useful, and even necessary, for the welfare of the Spanish nation."

A letter from Malaga, under date of April 7th, announces the arrival at that place of the patriots *Garcia Heneros*, *Zorraquin*, *Marlinex de la Rosa* and *Calatrava*, from the galleys, off the coast of Africa. It is impossible, says the letter, to paint the joy with which they were received. A triumphal car was prepared; all the bells were in motion, and there were frequent discharges of artillery. The banquets, balls, and fetes, are not yet over.

RUSSIA.

Petersburg, March 8. The following are the chief results of the commercial intercourse of Russia, with foreign countries, during the year 1819, and the ports and frontier places of the empire. Total importation amounted to 167 millions roubles; total exportation 210,559,343 roubles. Import and export, 39,793,340 roubles in bank notes. At St. Petersburg the importation was 110,607,315 roubles—and the exportation 85 millions. Riga—import, 10,532,560 roubles; export 42,738,375. Odesa—import, 5,254,233 roubles; export, 14,016,809 roubles. Archangel—imports, 442,403 roubles; export, 9,031,088 roubles. The trade is carried on in 28 sea-ports, and 41 custom houses on the land frontiers. Ships arrived, 4,809—ditto sailed, 4,786: of which at Cronstadt arrived, 1,061; sailed, 1,060; at Riga, arrived 1298; sailed 1,298;—at Odesa, arrived 671, sailed 662; at Archangel, arrived 306, sailed 250. The above statement includes the Russian trade with America, as well as with Europe.

JAPAN.

The population of Japan, though a country with which the other parts of the world have but little intercourse, is estimated at 55 to 60 millions. The city of Jeddo alone contains 280,000 houses, and probably little short of ten millions of inhabitants. The number of their blind is rated at 36,000.

WEST INDIES.

One of the royal gazettes of Hayti is completely occupied with a list of newly created nobility. Among them, the duke of Fort Royal is elevated to the dignity of prince royal, with the title of prince Joachim; and his high eminence and right reverend Jean de Dieu Gonzales, to the dignity of duke of Gonzales and the Palmes; several *barons* to be marshals of camp, &c.

President Boyer has succeeded in completely suppressing the insurrection which has for several years desolated a part of the republic of Hayti. It commenced in 1807, soon after the fall of Dessalines, and has since been cherished by Christophe. It was the refuge of the disaffected, who had a strong hold in the interior, and frequently ravaged the sea-coast for sixty leagues in extent. Petion had in vain attempted to subdue the insurgents, but Boyer has put them down—cut off the heads of sixteen of the chiefs, and exposed them at Jeremie, placed on pikes.

The British pay only 7 per cent. duty at Port au Prince, but the Americans pay 12. American flour, imported into Liverpool, pays 70 cents—but if direct from the United States, \$1.20 per barrel.

Owing to the drought, it is said that Tortola, which generally makes nearly 3000 hhd's of sugar, will not make more than 250. Canes have been put in the ground three times. The inhabitants, and especially the slaves, are suffering exceedingly. A project is on foot at this island, to colonize Crab island, which lies 7 or 8 miles to windward of Porto Rico. It is said to be a rich and delightful spot—20 miles long and 8 broad, and capable of producing 25 or 30,000 hhd's of sugar. It is yet unsettled, except by a few wood cutters—but its sovereignty is claimed by the British, Spanish and Dutch governments.

SOUTH AMERICA.

The following official article will explain, in a satisfactory manner, the nature of the recent changes in the government of the republic of La Plata:

Convention had and concluded between D. Manuel Sarates, governor of the province of Buenos Ayres, D. Estanislao Lopez, governor of Santa Fe, and D. Francisco Ramirez, governor of Entre Rios, the 23d day of February, in the year of our Lord, 1820, for the purpose of terminating the war which had broken out between the said provinces, making provision for their permanent security, and concentrating their forces and resources in one federal government; for which object the following articles have been agreed upon:

Article 1st. The contracting parties protest that the wish of the nation, and in particular, in the provinces under their command, respecting the system of government which ought to regulate them, has been expressed in favor of the confederation which has been formed. But as it is necessary that it should be declared by deputies nominated by the free election of the people, it is submitted to their deliberations. For this end there shall be elected by the people of each province its respective representative—the three shall unite at the convent of St. Lorenzo, in the province of Santa Fe, at the expiration of sixty days from the ratification of the convention. And as they are persuaded that all the provinces of the nation aspire at the organization of a central government, each one of the said contracting parties promises for itself to invite and supplicate them to concur with their respective deputies, that all that is possible may be done to assemble them and to promote the general good.

Article 2d.—Whereas all the causes have been removed which involved the friendship and harmony between the province of Buenos Ayres, Entre Rios, and Santa Fe, in a cruel and bloody war, to gratify the ambition of men who had usurped the command of the nation, or disobeyed the instructions of the people whom they represented in congress—hostilities shall cease from this time, the belligerent divisions of Santa Fe and Entre Rios shall be returned to their respective provinces.

Article 3d.—The governors of Santa Fe and Entre Rios, for themselves, and in the name of their provinces, represent to the heroic province of Buenos Ayres, the protector of the nation's liberty, the difficult and dangerous situation to which those friendly people and themselves were reduced by the threatened invasion of a foreign power, which, with considerable force, oppresses the allied province of la Banda Oriental. They leave to the reflection of citizens, so much interested in national independence and happiness, to calculate the sacrifices which it will cost the citizens of those provinces which are attacked, to resist an imposing army, wanting in resources, and expect from their gene-

rosity and patriotism assistance proportioned to the importance of the enterprise, confident of obtaining every thing that is possible.

Article 4th.—The rivers of Uruguay and Parana shall be open to the navigation of those vessels only which belong to the friendly provinces, whose coasts are washed by them. Commerce shall continue as before; such changes only, excepted as the contracting parties shall solicit from the congress.

Article 5th.—Such individuals as have gone from one province to another, on account of difference of political opinions, shall be at liberty to return to their respective provinces even such as have taken arms and acted against their countrymen; they shall be restored to their former possessions and situations, and a veil shall be drawn over the past.

Article 6th.—The boundaries between the provinces shall be referred in case of any dispute on that subject, to the general congress.

Article 7th.—The overthrow of the late administration was a work in conformity with the general voice, on account of the repetition of crimes, in which the liberty of the nation was disregarded, and other excesses of an enormous magnitude, that must answer to a public tribunal which has been nominated. This measure is particularly for the interest of the officers of the federal army, who can justify themselves by the powerful motives which impelled them to declare war against Buenos Ayres last November, and to pursue, besides the liberty of the province of Buenos Ayres, the most secure guarantee of the other United Provinces.

Article 8th.—The commerce, arms, and munitions of war of all sorts, shall be free in the confederated provinces.

Article 9th.—The prisoners of war on each side shall be set at liberty after the ratification of this treaty, and be restored to their respective armies or provinces.

Article 10th.—Although the contracting parties are convinced that all the articles just expressed are in conformity with the sentiments and desires of his excellency the captain general of la Banda Oriental, D. Jose Artigas, according to what the governor of Entre Rios has expressed, who declares himself to be charged with private instructions from the said captain general referring to this particular case; yet not possessing sufficient powers in form, he has agreed to send him a copy of this act, as its relations may contribute to the interests of the province, under his command, whose incorporation with the other confederated provinces will be regarded as a very happy event.

Article 11th.—At forty-eight hours from the ratification of the convention by the junta of electors, the federal army shall begin to withdraw itself to pass the middle brook—but having heard of the state of devastation to which the province of Buenos Ayres has been reduced, by the continued passage of different troops, the said march shall be made in divisions of 200 men, that the supplies for the soldiers and horses may be more equally rendered, and that the country may suffer less. Desiring that the generals may meet with no inconvenience nor want of provisions to themselves nor their troops, the governor of Buenos Ayres shall nominate an individual, who with this object shall accompany them to the line of division.

Article 12th.—At the end of two days or sooner if possible, this convention shall be ratified by the honorable junta of representatives.

Done in la Capilla de Pilar, the 23d Feb. 1820.

(Signed)

MANUEL DE SARATEA.

FRANCISCO RAMIREZ.

ESTANISLAS LOPEZ.

The junta of representative electors approved and ratified the preceding articles at Buenos Ayres, at 2 o'clock of the afternoon of the 24th of February. Thomas Manuel Anchorena, Antonio Jose de Escalado, Manuel Luis de Oliden, Juan Jose Cristoval de Anchorena, Vicenta Lopez, Victorie Garcia de Zuniga, Sebastian de Lecica, Manuel Obligado.

True copy,

OBLIGADO.

CHRONICLE.

Major general Scott arrived at Buffalo about the 20th of May, on a military tour.

The U. S. ship *John Adams* has arrived at Norfolk, from Rio de la Plata, via the West Indies.

The U. S. brig *Enterprise*, capt. Kearney, has arrived at Charleston, last from Havana, where capt. K. obtained the release of some Americans confined for political offences.

Died, at Freeport, Columbia county, Pennsylvania, on the 23d April last, colonel *John Clark*, aged 69—a valiant soldier of the revolution.

Baltimore. Our noble building, the exchange, was regularly opened for business last week, and the great hall was filled with our most important dealing men, who have agreed to meet at a certain hour in each day, for the despatch of business. It is said to be one of the handomest establishments of the kind in the world. Its elegant dome excites universal admiration.

Sunday schools.—9000 children receive education at the several Sunday schools in the city of New York.

Five hundred dollars, in notes of the State Bank of Georgia, were advertised to be sold at public auction, *for specie*, in lots to suit purchasers, in front of the exchange, Savannah, on the 24th ult.

Gallant affair! A person had an exhibition of wax figures at York, U. C. Among them was one of maj. gen. *Jackson*. It was "highly offensive, not particularly to the inhabitants of York, but to every British subject, whose heart beat in unison with loyalty to his sovereign," and so they assembled with direful intent, bravely seized upon the poor waxen figure, and with infinite courage, "hung it as high as Haman." Really—really, this is *too small*.

The navy. Three ships of the line are now lying in the harbor of New York—The *Washington*, *Franklin* and *Ohio*,—the latter just launched. The *Independence* is at Boston, and the *Columbus* in the Mediterranean. Four others are nearly ready to launch—one at Portsmouth, one at Charlestown, near Boston, one at Philadelphia, and one at Gosport, near Norfolk. Several 44-gun frigates are in considerable forwardness. The equitable mode adopted for the naming of our ships of the line, though it may sometimes wound a local pride, must needs be accepted as the best plan that could have been pursued to quiet local jealousies.

"Duels at Gibraltar." Under this head we have a long account of some hostile proceedings between certain officers of our squadron in the Mediterranean, and others of the British garrison at Gibraltar. For several years past, unpleasant disputes, which sometimes terminated fatally, have occurred; and recently a duel was fought between Lieutenant Downing, of the *Guerriere*, and a lieut. Smith of the 27th British regiment. The latter was wounded three times and severely—the former was un-

hurt. The affair caused so great an excitement, that governor Don interdicted all intercourse between the squadron and the garrison. But one *Sunday* morning, when captain Thompson, of the *Guerriere*, was in his cabin with his wife and child, unexpected company, a capt. Johnson and a doctor of the 64th regiment, both strangers, were suddenly introduced—and without any ceremony, in the presence of Mrs. Thompson, addressed capt. T. as follows: "It is asserted on shore, and is generally believed, that it is your wish to give a national tone to the quarrels between your officers and those of the garrison: at least it is thought so by our regiment: our officers began the war with the American officers, and we are resolved to go through with it, and finish it. Accordingly, sir, I am charged to present you the compliments of major Dickson of the 64th, and beg you will do him the favor to give him a meeting on the neutral ground this afternoon at 4 o'clock, at two paces, and I offer the same terms to your lieutenant, Downing. You are very successful at your own distance; you may not be so at ours." By this time Mrs. Thompson was in fits, and her little daughter screaming with fright. Capt. Thompson complained that they had done him great injustice, in imputing to him feelings or wishes in any degree hostile to the British officers; disclaimed ever having expressed or entertained the wish ascribed to him: but all that he could say, availed nothing—the fight was urged upon him with great warmth, and he said, If you will force me into this controversy against my wishes, and under this disavowal of mine, I will enter into it and upon your own plan. You have singled me out as the principal object of resentment and attack, merely because I command the ship to which lieutenant Downing is attached, and you are resolved to array all the officers of the 64th, and bring mine to the field against them. I claim the right, as the party assailed, to select my antagonist: I take the commander of your regiment, col. M'Combe; now bring him to the field as soon as you please; I am ready to meet him on your own terms. This was objected, because M'Combe was an old man, and a man of family—but the reply was, "he is not an old man, and you have paid no respect to me as a man of family." Lieutenants Gordon and Dulany, of the *Guerriere*, now claimed major Dickson and the bearer of the message, capt. Johnson, and offered to meet them at two paces or two inches. They were unprepared for this turn, and left the ship to communicate the matter to the officers of the regiment and return immediately with the result; but they did not come back that day—and next morning, captain Brown, then in temporary command of the squadron, being ignorant of these transactions, ordered the *Guerriere* away, so that for the time further differences were avoided. It appears pretty evident that all the unmarried officers of the garrison, to the amount of nearly 200 persons, had entered into a combination to call out all the officers of the frigate *Guerriere*, five or six in number, and fix their own time and distance for fighting! If this is true, we never heard of a thing more outrageous—alike repugnant to what are called the laws of honor, as to those of humanity. And yet it seems that this combination is boasted of, as a noble undertaking! We fear that the matter will not end here—but if it is a fact that such a conspiracy exists, we hope that our naval officers will have courage enough to treat the conspirators with the silent contempt which they so richly deserve.

New-York theatre. We neglected to notice the conflagration of this extensive establishment on the morning of the 25th ult. The play of the preceding evening had been numerously attended—and at 25 minutes past 1 o'clock the fire was seen bursting through the roof, believed to have been caused by accident. It was totally destroyed, with the chief part of its contents—the aggregate loss was nearly 200,000 dollars.

Great crop. A Mr. Blakeman, at Silver creek, Indiana, has published that he raised last year 1350 bushels of shelled corn on ten acres of newly turned prairie land.

Western navigation. The Louisiana Advertiser, of the 6th of May, gives the names and destination of twenty-three steam boats then lying in the port of New Orleans!

Rhode Island has received of the United States the sum of \$15,000, towards defraying the expenditures for military services in the late war.

The thrifty little state of Rhode Island is, at this time, the most prosperous of any in the union, notwithstanding the multitude of small banking institutions that abound there, from the force of domestic industry applied to manufactures; which, in despite of every obstacle, is in a condition that must be considered a happy one, compared with that of most other places; a most rigid economy, in some measure, supplying the want of public protection, except in the people themselves—who chiefly consume the products of their respective neighborhoods. The balance of trade is generally in favor of the state, and the want of specie is not felt by those who have a right to demand it, for the banks are in a very comfortable state.

Vermont. The following gentlemen have been chosen to constitute the council of censors, viz. Joel Pratt, John Phelps, Amos Thompson, William Hunter, Charles Rich, William Nutting, Joel Brownson, Joseph Scott, Isaac Cushman, Asa Aldes, and Jedediah Hyde.

The duty of this council is to enquire whether the constitution has been preserved inviolate; whether the legislative powers have been properly exercised; taxes justly levied; the public monies rightly disposed of, and the laws duly executed. If they deem it necessary, they can call a convention of the state to revise the constitution; but the convention cannot meet until the expiration of two years after the meeting of the council of censors, and all the amendments proposed must be published at least six months before the meeting of the convention. This council is chosen every seventh year; but is vested with the above powers for one year only, after the day of their election.

Tennessee. The legislature of this state is to hold a special meeting on 26th inst. The purpose is not stated in the governor's proclamation, but we believe it is in some way connected with the state of the times, with reference to the pecuniary embarrassments of individuals.

Comets.—A German astronomer, M. Hayer, has published a new hypothesis respecting comets. He conceives that these celestial bodies are composed of water only, and that their tails are but solar rays passing through their medium; that they attract to themselves a quantity of impure gas floating in the air, which is again dispersed as they approach the sun. They originate a great quantity of oxygen gas, and thus contribute to purify the atmosphere and promote vegetation.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A SUPPLEMENTARY sheet, of eight pages, accompanies the present number of the REGISTER, and the whole is given up to *variety*.

☞ We have received a manuscript copy of Mr. Baldwin's remarks on the bill reported by the committee of manufactures, requiring cash payments of duties, on certain articles imported. It is long, but, like his speech on the tariff bill, full of highly interesting information, and will be read with the same attention. We propose to publish it in our next; and, as observed in regard to his speech on the tariff, shall be pleased to see, and to publish also, what was said in opposition to it. We are promised his remarks on the *auction* bill—and, when that is given, our readers will be possessed of a view of the whole principles on which the committee of manufactures acted, as to the three leading measures which they proposed.

☞ The writer of an anonymous note signed "Amicus," who seems to take to himself a considerable degree of importance, is hereby informed, that the editor of the REGISTER, as to the subject referred to and on all others, will do just exactly what he himself shall believe to be right. The manner of the communication forbids a more civil reply—though no other, in substance, would have been given, had that manner been less objectionable.

"Amicus," I understand, means a *friend*. There is no friendship in anonymous letters. A friend will express his sentiments under his own signature, or honestly communicate them face to face, unless afraid to avow or ashamed to advocate them.

☞ To agents and subscribers. The present year's business of the REGISTER will expire on the last of August next. From the pressure of the times and general derangement of most men's affairs, it never happened before that our own little matters were so much in arrears. We are willing to bear a full share of the common suffering, caused, in part, by the return to a wholesome currency, but more affected by the want of employ for domestic industry, though we have done all that we could to prevent the effects, from either cause, from falling upon the people of the United States—yet we are enduring more than our share; and, without the least affectation, are severely put to it to keep ourselves square with our expenses—though the circulation of this paper has greatly increased, and never was so prosperous as it appears now to be. Agents and subscribers are therefore respectfully invited to make an endeavor to have the old accounts closed before the new bills are issued—as well as to assist us in this time of our need, as to prevent an accumulation of debts due. The bills of any specie-paying bank are received for the REGISTER.

News! An original article respecting the British settlement in Illinois, appeared in this paper of the 15th April last. It was transmitted therein to Kaskaskia, and there seems to have been published as original on the 20th May. It has again returned to the Atlantic states, and is now going through the papers as something new.

VOL. XVIII.—23.

DON ONIS, &c. We have been not a little amused, though somewhat surprised, at the revival of a story which we thought had long since gone to the tomb of the Capulets, with an abundance of similar things, made at its time, for similar purposes. We allude to the report that Don Onis, when he first came out to this country, was authorized to offer to the government of the United States, eight millions of dollars, to be applied to the indemnification of American sufferers by Spanish spoliation, provided he was received as a minister from Spain.

If our memory serves us correctly, this matter was first agitated about ten years ago by a certain Mr. Elliott, now almost forgotten, but then making some noise in the world; first as a member of congress from the state of Vermont, and afterwards as the editor of a newspaper at Philadelphia, in which he promised to reveal mighty secrets of the proceedings of government. He commenced a tremendous series of essays on "French influence," which, for a time, were eagerly copied into perhaps, forty or fifty of our periodical publications—but he had exhausted the desire to read long before he got through with his *introduction*, and the republication of his articles was universally abandoned, with mortification and regret that so much paper had been wasted for nothing. We believe that Mr. Elliott never quite finished his *preliminary remarks*, though what he published would have made "a book as big as cheese"—he retired from the editorial chair, and has not been heard of since.

The 'National Gazette,' of Wednesday last, gives an interesting retrospect of the state of Spain when Mr. Onis was deputed by the Junta of Seville, (a year before the convocation of the cortes), as a minister to the United States, and renders the tale ridiculous, even if Mr. O. was authorized to offer the eight millions. The Junta of Seville had no money at its disposal; and could no more have bound the kingdom of Spain for the future payment of it, than the act of a congregation of patriotic individuals in any part of the United States, in the earliest stage of our revolution and anterior to the meeting of congress, could have bound the congress—the representative of the nation.

If we were amused with this story, we were perfectly at a loss to conceive why it was revived, except in a disapprobation of the Florida treaty. But that treaty was almost universally satisfactory at the time it was made, and every one seemed to admire the judgment and ability of the government, as displayed in the negotiation.—Mr. Adams' arguments were especially the subject of praise—all paid a willing homage to his talents. What was right then, is now to be considered as wrong, simply because we have not land enough, and desire to add the extensive province of Texas, to a possession of the Florida! When these are acquired, if the present disposition lasts, we may next sigh for Cuba, then for Mexico, and desire to bound our empire by the Atlantic and Pacific, the great lakes and the gulf of Panama! The idea of parting with any of the territory which we now have, is quite as tolerable as thus straining at the acquisition of more, except the Floridas—which appear to be necessary to the safety and welfare of what we possess; the former, if carried so far into effect

as to transfer a whole state to the sovereignty of a foreign power, however inadmissible the idea is, would *eventually* be no more injurious to the welfare of the rest of the union, than an extension of our territory equal to the wishes of some. Indeed, we have land enough—as great a variety of soil and climate, and as great a diversity of *interests* and *opinions*, too, perhaps, as can be well governed by *general laws*.

“PRINCIPLES AND ACTS OF THE REVOLUTION.” The frequent enquiries recently made for this work, now in the press of the editor of the REGISTER, induce us to repeat the notification, that it is proceeding to a conclusion as rapidly as the nature of things will admit of—it is two thirds done, and the rest of the copy nearly prepared.

The labor of collecting materials for this heavy volume has been much greater than was anticipated, and their quality is not so extensively of the character desired, as we hoped that it would be—yet the editor is flattered with a belief that he will present a work to his countrymen to which they may refer for *land-marks*, on most questions appertaining to the practice and principle of the republican virtues; and it will also rescue from oblivion many curious historical facts.

In the present advanced state of this collection, we think that we can venture to promise its publication in less than three months—We are very anxious to get it out, that our expenses may be reimbursed; and that they will be, seems evident from the fact, that not more than 150 or 200 copies, of an edition of 1500, remain unengaged.

AMERICAN ATLAS. We have recently received two numbers of a work which we feel no small degree of pride in acknowledging to be American—the large and elegant Atlas, now publishing by Messrs. Tanner, Vallance, Kearny and Co. engravers of Philadelphia. It will contain in all, twenty-one sheets, 25 by 22 inches, drawn with great apparent care with regard to the most authentic discoveries, and beautifully colored: thus arranged—the World, America, Europe, Asia, Africa, one sheet each; North America, four; South America, two; and the United States will be comprised in nine sheets, all drawn upon the same scale and handsomely arranged. The whole will be completed in five numbers, conveniently done up for use, as six dollars per number—single maps may be had at \$2 each sheet.

We do not know what degree of encouragement these accomplished artists have received, to aid them in this great undertaking; but, from a careful examination of the manner in which they have thus far executed it, they *deserve* support from all desirous to ascertain the geography of their own country, or to countenance the perfection of the useful and elegant art of engraving, at home. Every gentleman who has seen our numbers has expressed something like a surprise at their masterly execution—as if such things could not be done “on this side of the water.” But it appears to us, that these maps may be advantageously compared, as to workmanship, with any that we have seen from Europe; and, as to our own country, they have the very important advantage of being more accurate.

SMALL CHANGE.—The following notice is from the mint of the United States:

“In order to disseminate small change as extensively as possible, through the different parts of the United States, the MINT, in Philadelphia, will deli-

ver, on account of the bank of the United States—*silver dimes*, [ten cent pieces,] to any moderate amount; say, for the present, not exceeding 500 dollars, in exchange for an *equal amount* in silver bullion, or in any foreign silver coins.

“Cents still continue to be delivered, to any desirable amount, in exchange for an equal amount in specie, or in any paper receivable at the bank of the United States.”

¶ The small silver change at present used in the United States, almost exclusively consists of 64 and 12½ cent pieces, the 16th and 8th parts of a dollar, of Spanish coinage; and to these the price of commodities is every where accommodated. It is a work of great time and labor to alter the currency of a country thus established, especially while the small pieces continue abundant, which those alluded to are and are likely to remain so, not being objects for exportation. It is ardently to be wished that they should be superseded by our dimes and half dimes, and that the prices of small articles were generally regulated by them. But this cannot be expected for a long time; and, in the present state of things, will not be brought about except by the issue of such a *quantity*, at once, of our minor silver coins; as will overwhelm the foreign pieces and drive them from the common circulation. Until such a quantity is provided, it appears to us that the public convenience is rather injured than promoted by the issue of these pieces. If there were *enough* of them to supply our wants, the banks, by retaining the foreign coins to meet *wanton* or *venalious* runs upon them for specie, might and would do much to give them currency, as well from principle as from interest.

GEORGIA BANKS. In the REGISTER of the 3d inst. we noticed an article, published in a southern paper, stating that the office of the bank of the U. States, at Savannah, had caused certain of the notes of the state banks to be protested, &c.

The papers of that city have made a statement of the case—it is said that the office “continues to receive and pay out the bills of the local banks, and to discount on the faith of those bills”—which they receive and accumulate by the public deposits to so large an amount, as to cease to issue any of their own notes, and thus relieve the branch of all responsibility to pay specie, &c. That, so circumstanced, the office demanded *daily* cash settlements; “which is the only mode of settlement yet proposed by that office,” and this the local banks thought they ought to refuse to accede to. It is added, that the state banks “have not enough of their bills in circulation” for the ordinary purposes of business; “that they are perfectly and far within their limits,” and that they pay specie for their notes to individuals.

The editor of the Savannah Republican says, that the “moral energies of the people must be brought into operation against the bank.” That “the states must take a stand against a corporation which is endeavoring to prostrate state institutions, rising above taxation, and influencing even the national government. If this is not done, our state sovereignty is at an end, which ought never to be given up.”

Yes—if the bank of the United States had not been so crippled on its outset by speculators, we should already have felt its power every where in a way that as yet we know nothing of; and I am sometimes almost ready to consider it as a *providential* act, that it was so conducted as to lose the confidence of the people, and impair its means of di-

recting all to bow down to it, just after it started. If it had been managed with its present apparent care, its power would have been paramount over all the dealing classes by this time; and, in a manner, have assessed the value of every man's property. If the bank shall, as we think that it soon may, withdraw some of its badly located branches and issue no notes but such as are payable at Philadelphia, the state banks, in general, will be little more than jackalls for it—provided the revenue of the United States shall rise to any thing like what it has been, or even continue as at present.

CASE OF THE IRRESISTIBLE. Ferguson and Denny were very lately executed at Baltimore for the crime of piracy, in carrying off the *Irresistible*, &c. From a representation of the case made at the time, we thought that those persons were about to suffer *unnecessarily*;—others of the crew are yet in confinement here under sentence of death, and sixteen more are similarly situated at Richmond, some of whom will probably suffer on the gallows.

A powerful writer in the Richmond papers, pleading for the pardon of the men condemned there, in an address to the president of the United States, gives some interesting statements of the case, which, agreeing exactly with what we had hitherto heard of the matter, is briefly as follows: It is chiefly bottomed on the testimony of a certain James A. Black, one of the *principals*, but who turned "states' evidence," and saved himself.

These men were shipped at Norfolk, on board the *Creola*, under the *Buenos Ayrean* flag, for a cruise of three months—but they were carried direct to Margaritta as recruits for admiral Brion—being fairly kidnapped. When they arrived at that island, bread and water in the dungeons of the castle or the yard arm, on one hand,—and their service under Brion, on the other, was tendered to them. They had been deceived, were sick of the service, and resolved to return to the United States, if they could. The brig *Irresistible* was then lying in the harbor of Margaritta under the flag of *Artigas*, with whom *Buenos Ayres* was at war—they rose upon the officers of the *Creola*, and, if lawfully sailing under the *Buenos Ayrean* flag, lawfully boarded and captured the *Irresistible*, except in the act of violating the *neutrality* of the port, and carried her off, after some opposition, but without injuring, or designing to injure, any one—all of her crew that wished to be put on shore being peaceably released, with all their property then board of the vessel. They shaped their course for the United States—but this Black, having a commission as lieutenant in the navy of Buenos Ayres, wished to make his fortune out of it, and to cruise a while in the West Indies. By persuasion and threats, and from the heterogeneous mixture of the crew, he prevailed upon a majority of them to give a partial assent to his scheme. They boarded about thirty vessels and treated them all well, except a *small* piratical vessel, whose means of annoyance they destroyed and from whom they took some jewels and money, supposed to be plundered—a *Spanish* brig, from which they took about 3,700 dollars, leaving a valuable cargo of dry goods untouched—and one American schooner, from which they carried away what seemed evidently to be *Spanish* property. All else were used in the most respectful manner; and, at the request of the commander of the brig *Comodore Hull*, of Boston, they convoyed him round a certain point of the island of Hayti, where picaroon pirates were exceedingly danger-

ous. They supplied several vessels with provisions, and purchased of others what they wanted, which they fairly paid for. Still anxious to return to the United States, Black was deposed from his command as first lieutenant and put under arrest, and then they sailed direct for the Chesapeake, in which they arrived without much apprehension that they had done wrong, and proceeded to get on shore, leaving the brig for the benefit of the concerned. It does not appear from the testimony offered, that they committed any other act of violence than those above stated: they personally injured no one, they treated many kindly, or at least politely—their great object was to get back to the United States; and, in their circumstances, they thought it legal for them to capture the *Irresistible* to accomplish their purpose.

Such, we believe, is a fair statement of the case for which Ferguson and Denny have been hung, and between twenty and thirty others stand condemned to death. Their acts were piracy, no doubt; but less so than many committed which are sanctioned by the laws. Treated as they appear to have been—trepanned and sold to a foreign service without their consent, they stand justified in the seizure of the *Artigan* vessel *Irresistible*, their enemy, to make their escape from a detested servitude; and if they had destroyed those who thus treated them, they might still have been justified; but they used them with all gentleness consistent with the object that they had in view. After getting quiet possession, they certainly did wrong in cruising on their own account, contrary to their original intention, and, very probably, in opposition to the secret wishes of a large majority—but who thought it better to give way, for a time, than hazard the grand object of their enterprize—a return from whence they came. And, at last, they succeeded in this, with as small an exercise of the power which they possessed as could be expected of men so circumstanced: they were numerous, and had the command of a vessel super-excellently fitted for privateering or piracy. No act of cruelty marked their progress—they were *pirates*, it is true, by their acts, but not so in their motives; and there is an immense distinction between them and those who are to be hung at Boston for that offence, as described in the address of judge *Story* to them, inserted below. Certainly, no man of spirit, situated as those men seem to have been, would have hesitated as to the seizure of the *Irresistible*. If what is uniformly stated is true, I should have thought it a virtue to have been at the head of that enterprize and for such an object, if I had been weak enough to have suffered myself to be seduced into the service that they were. Their subsequent acts are easily palliated; and we trust that mercy will be extended to them—enough has been done for the sake of example. Ferguson, the captain, and Denny, the 2nd lieutenant, have died on the scaffold.

Extract from the address of Judge Story, one of the judges of the supreme court of the United States, to certain persons convicted, at Boston, of piracy—they had previously mutinied and murdered their officers:
"There is then nothing in point of law in your case, which entitles you to the favorable consideration of the court, and there is nothing, absolutely nothing—in point of fact, so far as is known to us, to call forth the public mercy for your succour or pardon. You had no excuse for your inhuman butcheries. There was not even the pretence of irritated passions to soften the deep malignity of the scene. It was a mild summer evening, the close of a day of pleasure and festivity, consecrated to liberty and

independence. Your officers were already retired to repose. One sleeping on deck, the other in his cabin. The time was fast approaching to midnight. One would have thought that the coolness and tranquillity of the scene, might have awakened other thoughts than deeds of darkness. Yet you chose this as the time of your detestable plot. You seized one of your officers by surprise, in sleep, and threw him into the sea. His cries called up the captain, and he too, was instantly pushed overboard. He caught hold of the main boom *guy*, and struggled to save himself from destruction. During ten agonizing minutes, he remained suspended there, grappling for life and entreating mercy. Did your heart relent on this occasion? It was a moment for repentance, for submission, for humanity, for mercy—Did you listen to the appeals of conscience? to the pleadings of the miserable wretch just sinking into eternity, and looking round for the last hope of safety? No—no. There was no mercy there.—You stabbed him with many a wound, till exhausted with fatigue and loss of blood, he seemed ready to fall, a dying, fainting victim—You then cut away the rope, his last feeble hold on life. He dropped—the ocean threw its dark waves over him, and he was gone forever. He was sent to his final account without preparation and without warning. It was a most cruel, and ferocious, and unnatural murder. Yet it stood not alone. The transition of the mate from sleep to death, though more sudden, and less terrific in its circumstances, was no less agonizing—his shrieks were heard on the desolate ocean, and then, in a moment, all was silence, deep and dreary and fearful.”

After the preceding had been prepared for press, we received the following—“We understand, that two out of the sixteen seamen, of the Irresistible privateer, lately condemned to death for piracy, by the circuit court of the United States, at Richmond, have been pardoned by the president of the United States, and that the execution of the sentence of the remaining fourteen, has been suspended. This mitigation is highly gratifying: their case is a very hard one.”—*Wash. City Gaz.*

“THE CATO STREET CONSPIRATORS.” According to promise, we now publish, in the supplement, the speeches, &c. of Thistlewood and others, precedent to the passing of judgment upon them. Several parts are, however, left out, which, perhaps, it might have been construed into treason to have published in England. For an account of the execution of these men, see page 283.

There is a *law maxim*, we believe, of this amount—that the testimony of a convicted person is not to be accepted; but what may be law is not always justice, and a man can tell the truth just as well after conviction as before it. The rule, however, ought to be observed, that what such a person says should be received with greater caution.

The narrative of Thistlewood has so many and such strong internal evidences of its truth, that we cannot help giving much credit to it—especially when he speaks of the spy, Edwards.* And, as ob-

served in our last, we easily believe the history of this wretch's proceedings, from a perfect satisfaction of the truth that others have been employed by the British government for similar purposes. We are surprised, however, that a person of Thistlewood's penetration and knowledge of the prevailing *espionage*, should have become the dupe of this man, who was evidently at the head of the conspiracy, and had several sub-agents to bring in recruits and urge on the affair to that point from which escape was hopeless! Thistlewood, it appears, contemplated a dark design, and was prepared to enter upon almost any desperate purpose; but Shelton, Ings, Brunt, Wilson, Harrison, and perhaps others, seem to have been enlisted by the government officer! The narrative of poor Gilchrist is exceedingly affecting—this wretched man honestly sought bread and became guilty of high treason!

There is no manner of doubt, in my mind, that lord Sidmouth was daily apprized of the proceedings of his conspirators, until the agent had worked them up to that condition which the law officers of the crown, perhaps, gave it as their opinion would amount to high treason—yet how this miserable affair can be made out as *levying war against the king*, we are yet to be informed. When they arrived at that point, they were arrested, and the thing noised abroad as a most horrible matter, just then and *providentially* discovered, to save the lives of the ministers! What sort of morality is it that governs, when such measures are resorted to?

It may be asked—why should the ministers have patronized a plot which had for its avowed object their own assassination? The answer seems easy—perhaps, to relieve themselves of the fear of such a plot—to get rid of some desperate spirits and intimidate others by the example—to shew the extent of their spy-system and keep the disaffected in dread—to strengthen their own power.

There is nothing new in this. In the French police, before the revolution, the system was perfected—not so much for political purposes as to support certain men in power and gratify private revenge. Whether a man went to a church, a hotel or a brothel;—whether he mixed with a society that appeared the most religious or most fashionable—the most profane or the most beggarly, he had always reason to believe that a spy might be at his elbow. The priest at the altar, the landlord at his table, or the wanton in his arms, might equally be an agent for the preservation of “order and good government!” Similar systems, more or less perfect, prevail in almost every monarchical government—and are a part of the machinery that is to keep them a-going. In Ireland, during what is called the rebellion there, the principle was greatly extended. It was necessary that some should be brought before a court of law anterior to putting them to death, though thousands were dismissed to the other world without this ceremony—and persons were hired by the year to give testimony against suspected or offensive individuals, that they might be murdered according to the law. And in England, during the late disturbances, it is notorious that not a few of the leaders of the mobs, the captains-general of riot and confusion, were in the pay of the government; and they induced many to

of state for the home department, in order that he might be prevented from so doing.

Mr. Brougham said—“As long as such men as Thistlewood existed in the world, government was not only justified but called upon to employ such a spy as Edwards,” &c.

*In the house of commons, on the 3d of May, alderman Wood gave notice, that on Tuesday next he would move for the appointment of a secret committee to examine witnesses on various charges against a person of the name of George Edwards. He added, that he understood this individual was about to leave the country; and he had thought it right, therefore, to send a letter to the secretary

commit acts which the law considers as of the most heinous nature, and which, in numerous cases, subjected them to the loss of life or liberty. Example is contagious—men in all nations and in every age, have frequently prescribed to themselves certain limits not to be transcended, which they have passed over in a fit of enthusiasm, or because they would not be thought fearful or unwilling to do what others did; but which they would not have had an idea of doing, except for the example set before them. Almost every man has experienced something of this: it requires more philosophy and self-denial than most of us can boast of, to resist the force of example in our neighbors and associates, and especially so under political excitements. It is the spirit of emulation and leads on to good or bad, as it is directed by those whose opinions and proceedings we are accustomed to respect. How cruel then is it to give this noble principle a course that leads to the dungeon or the gallows—to act in the very reverse of the invaluable petition in the *Lord's* prayer, "*lead us not into temptation, but deliver us from evil?*"

Great efforts are made in the British ministerial papers to blacken the character of Thistlewood and his associates, that the credulous may rejoice at the preservation of Lord Sidmouth and the rest. One of them, before their arrest, on being told that the ministers were to assemble at a certain place [as they frequently did] is said to have exclaimed, "I'll be d—d if I don't believe there is a God—I have often prayed [to whom?] that these thieves might be together," &c. There is an evident falsity in this; and no man lives in what is called the civilized world who doubts the existence of a God. Another paper makes them out to be "*deists*, who have no faith in the merits of our Saviour," and to reject the spiritual consolation of the chaplain. It is like enough that they rejected his company, considering him as a part of the machinery of the government, which they are charged with having designed to destroy.

The British kingdoms are filled with spies and informers. Their employment has been broadly vindicated in parliament, and their proceedings justified in that body. One of the most valuable and discreet men that I know (except on account of his political feelings, which seem to run riot in favor of the British and in opposition to the institutions of his own country, because, perhaps, his living has so long depended upon his connection with the foreign nation), has frequently told me that, when in England, strangers oftentimes thrust themselves into his company, and introduced political discussions, in which they were most vehement against the government, with the view, as he believed, of leading him into similar expressions, or at least of worming out his opinions—and it seemed to him that they must have received a sort of head-money or blood money, for the zeal and impudence with which they labored in their vocation. And, such is the perversity of the human mind, that this gentleman, thus feloniously intruded upon, though he sincerely rejoices at the downfall of the Spanish inquisition, justifies the right and necessity of the spy-system in England, as founded upon the state of the times!

Nor are we in the United States, destitute of those who have tried their hand at the *manufacture* of plots and conspiracies. In 1798 or '99, we had a pretty considerable batch of them, among which were the *tub plot* and the *tailor's plot*—ridiculous enough, in all conscience, but calculated to have considerable effect at a distance from their location; and there was a great speech made about some

of them, by a member of congress in his place that the people might be worked up to the war point, and give their unreserved confidence to the party then in power. And ten years after these, the editor of a newspaper who was subsequently appointed a senator in congress, solemnly and repeatedly proclaimed, that the subjugation of this country was designed of by a few poor Frenchmen, pretending to be dancing masters and barbers, and actually following those professions, who were to be embodied to conquer America! To be sure, most persons laughed at the miserable tale, but it was really believed by some—and, when an unfortunate Frenchman (who by the vicissitudes of his life, was forced to turn the accomplishments of his youth into the means of *scraping* together the means of subsistence), was seen with a fiddle under his arm, there were not wanting old women who believed that it must needs be filled with sharp knives to cut people's throats! Thank heaven, the day of these things has passed away and more liberal ideas prevail. But it may do good if they are sometimes brought to recollection.

To conclude: I have little commiseration for Thistlewood—he contemplated crimes against which every principle within me revolts, and, perhaps, it is well that he has been removed from amongst men; but the mode and manner of it seems very objectionable—and it appears that the most of those associated with him, were pure victims to the terrible policy of the government.

But what is this policy to us? A great deal. Britain is the country of our ancestors, and has an excessive influence over our morals and habits. We see to what a noble people may be reduced by a bad government, and to what desperate remedies that government may resort to maintain itself against a starving populace—and in them discover new inducements to cleave to the *letter* and the *spirit* of our own political institutions, which are capable of affording, and if rightly administered, would afford, to us all the blessings that can appertain to us as human creatures.

The present condition of Great Britain, is thus eloquently described by Mr. *Wulsh*, editor of the "*National Gazette*:"

"What must be the state of the earth at large, if Great Britain with an eighth of her whole population public paupers; with rates of labor lower than the cost of the most scanty subsistence for the individual workman; with an aggregate amount of public burdens not less than one hundred and six millions sterling, while the total of her private income amounts to three hundred and fifty millions at most; with a deficit in her finances for the year 1819, of thirteen millions; with a public debt of clear seven hundred millions, paying an interest of thirty-two millions; with her soil, as Lord Grenville said in his speech of November 30, 1819, "*de-luged with blasphemy and sedition*;" with every article of food which she consumes, drugged and adulterated, and that "*by generally creditable and wealthy individuals*;" with a domestic standing army of more than fifty thousand men, "*to induce her subjects to obey the laws*;" with unceasing and sanguinary popular tumults; with overflowing jails, hulks, and Botany Bays;—with high treason and foul murder as the almost invariable chorus of her press;—exhibiting, in a short, a perpetual scuffle between government and people; a wide spread contrast of the most excessive luxury and aristocratic pride, with the most squalid wretchedness and abject debasement, we ask what must be the state of the rest of the earth, if Great Britain, with all

this, enjoys more prosperity and happiness than any other nation of the world?—[alluding to the closing sentence of the king's speech, which declares that the British nation enjoys "a larger share of *practical liberty*, as well as of prosperity and happiness, than has fallen to the lot of *any nation* in the world."]

The Slave Trade.

We have briefly noticed the arrival of four vessels at New-York, which were captured on the coast of Africa, by the United States' ship Cyane, captain Trenchard, and sent in for adjudication, as being *American* property; and that captain T. had captured six others which were so well secured by false oaths and false papers, that he thought it expedient to let them go. The names of the vessels sent in are, the Plattsburg, Endymion, Esperanza and Science. We learn further, that the British brig Thistle, had captured three vessels belonging to Bristol, R. I. one of which, is the brig Rambler, and sent them to Sierra Leone; and that similar prizes almost daily arrived at that port, where the vessels are condemned and their cargoes emancipated. It is believed that there are about *two hundred* slave ships on the coast, chiefly under the Spanish flag, but in a great part owned and manned by the British, French and Americans. The latter are less extensively engaged in this accursed trade, perhaps, than the British; but there are not many of our principal ports at which there is not resident a few unprincipled persons who lend their capital to carry on this infernal business, so prodigal of murder, and so repugnant to every thing that is honest or honorable.

When the Cyane was left, she was in chase of a small vessel called the Colodero—but it was feared she would escape by superior sailing. A patriot privateer, with two slave ships her prizes, were recently detained by the British ship Myrmidon; but a compromise was effected, and the privateer released, on giving up her prizes. The ship Nova Felicidade was captured by the sloop of war Pheasant and sent to Sierra Leone: the state of the cargo is thus described by the captain of the latter vessel:

"I do further declare, that the state in which those unfortunate creatures were found, is shocking to every principle of humanity,—seventeen men shackled together in pairs by the legs, and twenty boys, were on the other side in the main hold, a space measuring eighteen feet in length, seven feet eight inches in main breadth, and one foot eight inches in height, and under them the yams for their support. One of these unfortunate creatures was in the last state of dysentery, whose natural evacuations ran involuntarily from him amongst those yams, creating an effluvia too shocking for description. On their being released from irons, their appearance was most distressing—scarcely one of them could stand on his legs, from cramp and evident starvation. The space allowed for the females, thirty-four in number, was even more contracted than that for the men, measuring only nine feet four inches in length, four feet eight inches in main breadth, and two feet seven inches in height; but not being confined in irons, and perhaps allowed during the day to come on deck, they did not present so distressing an appearance as the men."

The only power which *now* sanctions the slave trade with its flag, is *Portugal*. By the treaty formed between Great Britain and Spain, on the 23d September, 1817, the latter agreed to prohibit this

trade after the 30th of May, 1820, in consideration of the sum of 400,000*l.* paid by the former. Though the *disinterestedness* of the British government, in its endeavors to abolish the slave trade, (their own colonies being sufficiently full), has been much doubted;—we are disposed to approve and support her measures in respect to it, and to hope that she will appropriate a larger portion of her immense naval means to annihilate it altogether; and are sincerely glad that the United States has interfered and lent some aid to effect it. We hope that at least one fast-sailing vessel of war will always be kept cruising on the African coast, and that all our frigates and lesser ships, bound to or from Europe or the Mediterranean, except when despatch is important, will be ordered to sweep the coast and support the majesty of the laws, by bringing the man-stealers to their penalty.

By the act of congress, passed at the late session, and inserted in the present volume of the REGISTER, page 236, the punishment of death is to be inflicted on such of our citizens as are found to be engaged in this traffic, and the law appears to be so carefully worded as to make escape very difficult to those caught in the fact. But another section is wanting to this law, which should, in like manner, have affected those of our citizens who fit out the vessels, or supply the capital for the trade; for they, indeed, are the *principals*. It is true, that, by superior address and cunning, false oaths and false papers, these might frequently escape, for the proof of their crime could not be easily obtained; yet the conviction of one great merchant and his consequent execution, could do more as an example than the suffering of a dozen thoughtless, friendless and deceived sailors—who, passing to and fro and without a steady home any where, would hardly seem to leave a blank in society. The other, perchance, fills a large space in a community, keeps the best company, gives splendid dinner parties and balls—is a bank director, perhaps, and a member of sundry *humane and religious* societies;—and his punishment would be a glorious act of justice: it would be remembered for many years, and cause others to calculate the hazard at which their unhalloved wealth is acquired. A regard to their offspring, too, would have a powerful operation on their minds. They would imagine that it might be said of their children—"they are worth so and so, which their father made by stealing negroes, for which he was hung;" and this would drive them out of every thing like decent society, though they themselves might be guiltless.

I always wish to be understood as deliberately opposed to capital punishments, except, perhaps, for the crime of treason in war, and for cold, calculating murder, and for manstealing—whether by *impressment* on the high seas, kidnapping at home, or the slave trade abroad. The first and the last of these involve in themselves the rank offence of murder, in addition to the other outrages that primarily belong to them; and the latter is also a crime against posterity, by laying the foundation for such scenes as have been exhibited in *Hispaniola*; and which must be anticipated in other places, as the natural, irremediable consequences of the trade. Impressment and the slave trade are *murderous*, for these manifest reasons—that persons are thereby forced into conditions fatal to life, and by which great multitudes perish. It is admitted, that a person may be rightfully compelled to bear arms in defence of his own country; but if coerced to do so in support of the wars of another, and he falls by battle or the diseases incident to his involuntary situa-

tion, he is as completely murdered, in the eye of justice, as if those who seized upon him had, without provocation, blown out his brains with a pistol. And, in the slave trade, it is estimated that about one third of the cargoes die off; as may well be expected from the condition in which the poor wretches were stowed in the *Nova Felicidade*, as described above. The owner of a vessel, then, fitted to bring 300 slaves from Africa, coldly resolves that he will murder one hundred persons who never offended him, that he may make a profit on the sale of two hundred others, wrested by the hand of violence from their homes to curse some other country by their presence. The fact is—we must punish some of these mammoth murderers, and so put a stop to a trade which prostrates every principle of the law of God and man, whether it relates to the present happiness or future repose of nations, and countries, and persons.

I apprehend that there is an immense difference between those who hold slaves, and such as introduce them from Africa.* The first is an evil not of our own making, and which the wisest heads and best hearts have not as yet discovered any practicable plan to relieve us of—but the other is a voluntary affair, without the shadow of an excuse to palliate it, and as sincerely deprecated in one part of the union as the other. And it is believed, that far the greater part, perhaps nine-tenths of the supposed American vessels engaged in this traffic, except those presumed to be owned in Baltimore, belong to the non-slaveholding states!†

It is exceedingly to be regretted that eight or ten, or perhaps a less number of unfeeling men in a great city, should have the power to spread their own character over a whole community: but so it will be until the public indignation shall drag them forth, and fix them up as objects "for scorn to point her slow unmoving finger at."

By another arrival from the coast of Africa, we learn that a swift sailing schooner has been purchased as a tender to the *Cyane*, and manned and armed to assist in protecting the new colony just forming for our liberated blacks, and for intercepting vessels engaged in the slave trade. The colony is to be established in the neighborhood of

*I make this remark because I have seen some observations on the subject which I consider as exceedingly ungenerous and unjust—calculated to do harm rather than to answer any good purpose to the cause of emancipation.

†Judge Jackson, of the western circuit of Virginia, in a late charge the grand jury, said—"The poor African is stimulated by them [those who carry on the slave trade] to the perpetration of the blackest crimes, in order that he may furnish fresh subjects for the insatiable cupidity of his employers. The disgrace and criminality of this traffic have not been sufficient to deter some of those claiming the protection of the American flag and the rights of citizenship, from engaging in it. It is, however, gratifying to believe that the citizens of Virginia, where domestic slavery is authorized, regarding its existence as an evil which they have not been able to devise the means of abolishing, hold in proper abhorrence every effort to increase that great moral and political calamity; and that they have not been partakers of the crimes so often imputed to citizens of other states, where slavery does not exist, and is held in the greatest detestation. It is your duty, nevertheless, to enquire, and diligently enquire, whether any such offenders are within this district."

the island of Sherbro—the country is said be beautiful and healthy, having also a good harbor.

The preceding was written for last week's REGISTER. Since then, we are grateful to be informed, by the *Georgetown Messenger*, that other vessels of the United States will be despatched to assist the *Cyane*, in her present most honorable employment. The *Hornet* sloop of war, sailed from New-York on the 9th inst. on this service. We have also the following account of the proceedings on the persons sent home in the vessels captured by the *Cyane*, in the New-York *National Advocate*, of the 10th inst. as follows:

"Some days since were brought before Mr. justice Livingston, several persons who had been taken by the sloop of war *Cyane*, from on board of the American schooner *Science*, and some other vessels, on the coast of Africa, which vessels are alleged to have been employed at the time in carrying on a traffic in slaves, contrary to the laws of the United States.

Mr. Wells and Mr. Blake moved for the discharge of some of them, on the ground that at the time of their being taken out of these vessels, it did not appear that there were any slaves on board, so that they could not, in the words of the act, be said to be employed in the transportation or carrying of slaves from one foreign country, or place, to another."

Judge Livingston decided, that as the vessels appeared to have been fitted out for the slave trade, and were employed therein, when these men were found serving on board, their case was embraced either by the 2d or 3d section of the act of congress, which was passed on this subject the 10th of May, 1800, although no negroes or slaves were on board at the time. He accordingly committed all who were citizens of the United States, or were residents thereof at the time of fitting out these vessels, to the city prison, (excepting one who was admitted to bail,) to take their trial at the next circuit court of the United States to be held in this city.

Since the commitment of these men, we understand that a merchant of this city, and a citizen of the United States, was taken before judge Livingston, on a warrant issued by him, on a charge of fitting out in this city, in the month of December last, the abovementioned schooner *Science*, for the purpose of her being employed in this trade. This gentleman was bound over to take his trial at the same time.

It is said that a special court will be appointed for the trial of these men.

Those who were brought before the judge, and appeared to be subjects of other powers, and never to have resided in the United States, were discharged, it being his opinion, that their case was not included in any of the laws which had been passed for the prohibition of this trade."

American prisoners in Spain.

It gives us great pleasure to lay before our readers a late correspondence between Mr. Forsyth, our minister at Madrid, and don Juan Labat, acting secretary of state for foreign affairs, in relation to citizens of the United States, who have been so long held in confinement in different portions of the Spanish dominions, for political reasons—to which is added the translation of a royal decree for the immediate liberation of all these prisoners.

Nat. Int.

Mr. Forsyth, minister plenipotentiary of the United States at Madrid, to Sr. don Juan Jabat, acting minister of state for foreign affairs.

MADRID, March 31, 1820.

SIR: On the 18th of May, 1819, I had the honor to transmit to the marquis de Casa Yrujo, ad interim secretary of state, a despatch and representation in behalf of some Americans confined at Malaga. On the 31st of July, I asked the attention of his successor, Mr Salmon, to the same subject. On the 21st Sept. I presented to the duke of San Fernando a statement, on the part of the American government, of all the persons, citizens of the United States, who were known to be in confinement in different portions of the Spanish dominions, with a list of their names. To this list I requested that three other persons' names might be added, by a note of the 5th October. To neither of those several applications, have I received a reply. The recent and very interesting events which have occurred here, lead me to hope that a recurrence to this subject may be useful. Having been directed by the president of the United States to use all the means in my power for the restoration of the Americans confined to their country and friends, I trust that I shall be excused for bringing into view a subject of apparently minor importance. I have been unofficially informed, that the Americans who were in confinement at Malaga have been liberated, whether by an order of this government or by the spontaneous generosity of the local authorities, anticipating the decision at Madrid, I know not. I persuade myself, if his majesties attention should, in the midst of the weighty concerns that now occupy his royal mind, be recalled to this subject, that the same liberal indulgence would be granted to all. A generous forgetfulness of past differences of opinion among Spaniards has been proclaimed and warmly recommended. I should feel the most heartfelt satisfaction if the same magnanimous policy should be extended to my suffering countrymen, without discrimination. Those who are innocent would receive it gratefully, since the culpable would partake of its benefits. I forbear to dilate on this subject, referring you to what has been previously addressed to your predecessors, contenting myself with repeating, that such an act would produce the happiest effects on the future relations of Spain and the United States, two nations who have many common, few opposite interests, and who have, at this moment, in the similarity and liberality of their institutions, stronger inducements to draw near to each other, than any other two powers on the globe.

I renew to you, sir, the offering of my most sincere respect and perfect consideration.

JOHN FORSYTH.

Translation of a letter of don Juan Jabat, acting minister of state for foreign affairs, at Madrid, to the minister plenipotentiary of the United States.

SIR: I have the satisfaction to communicate to you, for the information of your government, that the king of the Spains, desirous to give to the United States of America continued proofs of his friendship for them, and of his wish to evince it more strongly, at a period when, by the principles of their respective governments, both people have more nearly approximated to each other, has resolved to set at liberty all the Americans, of the United States, made prisoners within the dominions of Spain, for having taken part in the disturbances of his American colonies.

His majesty, in commanding me to make to you

this communication, has further charged me to express his hope that this generous proceeding will be duly appreciated by your government; and the rather, when the injuries resulting to Spain, from a conduct so unjustifiable, are taken into consideration; and that it will, in future, exert its whole authority and influence to suppress every hostile or piratical act derogatory to those principles of sound morality which should form the rule of conduct of all nations governed, as in the case of Spain and the United States, by a constitution founded on wisdom and justice.

I hereupon renew to you the assurance of my high respect, and I pray God long to preserve you.

Madrid, 12th April, 1820.

JUAN JABAT.

[TRANSLATION.]

Copy of the decree issued by his majesty for the liberation of such Americans, of the United States, as have been made prisoners for taking part with the insurgents in America.

Most excellent sir: The king having been pleased to issue an act of pardon and oblivion, is desirous of giving immediate effect to it by setting at liberty all such Americans, of the United States, as have been made prisoners within his dominions for having borne arms with the insurgents; for having acted as spies; for having been arrested without the requisite passports; for having aided and abetted, directly or indirectly, the existing rebellion in his American possessions; and, in fine, all such as have not committed the crimes of robbery and assassination, or who are confined for just debts. Circular letters to this effect are to be immediately despatched to all competent officers in America, in Spain, and in the garrisons abroad.

All which I communicate by royal order, for your information, and to serve the needful purposes. God preserve you many years.

JUAN JABAT.

Palace, 12th April, 1820.

Mr. Forsyth, to seignior Don Juan Jabat.

MADRID, APRIL 12, 1820.

SIR: I have had the honor to receive your excellency's note of this day's date, giving me information that the King of the Spains had determined to liberate all the Americans, prisoners in the Spanish dominions, for having interfered in the disturbances with the Americans. I shall hasten to transmit this pleasing intelligence to the government of my country, who will find in it new motives to prevent all violations of that neutrality, within the strict limits of which it resolved to confine itself at the commencement of those disturbances. It is with infinite pleasure I shall perform this duty, as I well know this act of his catholic majesty will be highly grateful in itself to the American government, and be considered as the prelude of future harmony between Spain and the United States—the evidence of the spirit of generous friendship which is hereafter to animate and regulate the intercourse between them. I rejoice that the policy and the circumstances of his government have permitted the indulgence of his majesty's benevolent disposition towards my suffering countrymen.

I renew to your excellency the assurance of my high respect and consideration.

JOHN FORSYTH.

Mr. Forsyth to the consuls of the United States on the Mediterranean, in Spain.

MADRID, APRIL 13, 1820.

SIR: I have the satisfaction to inform you, that

the king of the Spains has directed all the Americans, prisoners in different parts of the Spanish dominions for having intermeddled in the disturbances with the Americans, to be liberated. I give you this information, that you may take the earliest opportunity to convey it to the Americans who may be in confinement in your neighborhood. At the same time, you are hereby authorized to say to them, that the expence of their voyage, from the place of confinement to the United States, will be advanced, if necessary, by the American government. For this purpose, any advances you may make will be repaid to you out of the contingent fund of this legation, or at the department of state in Washington, at your option. I am, &c.

JOHN FORSYTH.

Legislature of Maine.

The 31st ultimo being the day designated by the constitution for convening the first legislature of the new state of Maine, a quorum of the members elect attended—*John Chandler, esq.* was chosen president of the senate, and *Benjamin Ames, esq.* unanimously elected speaker of the house of representatives: both of whom addressed their respective houses and in an appropriate manner.

The votes for governor being officially counted, it appeared that *William King, esq.* had 21,083, and was elected almost unanimously—the whole number given being only 22,914.

The houses then proceeded to examine the elections of their own members, and fully to organize themselves—and, on the 2d instant, they received the following MESSAGE from the governor, who had been duly qualified before the two houses on the preceding day:

Gentlemen of the senate and of the house of representatives.

The political connexion, which had so long subsisted between Massachusetts and Maine being dissolved, it is a source of much satisfaction to reflect, that the measures, adopted for its accomplishment, have effected the object in the most friendly manner. A great and powerful commonwealth voluntarily yielding up her jurisdiction over a large portion of her citizens and territory, over whom she held an undisputed and rightful sovereignty; these citizens peaceably and quietly forming themselves into a new and independent state, framing and adopting with unexampled harmony and unanimity a constitution, embracing all the essential principles of liberty and good government; these are events which constitute a memorable era in the history of our state—events for which you, no doubt, as well as our fellow-citizens in general, will acknowledge with gratitude that divine goodness which directs and controls the concerns of men.

The act of Massachusetts, assenting to the formation of the district of Maine into a separate and independent state, also provides for a division of the public property. Although a large majority of the legislative body, which passed that act, was constituted of members from Massachusetts proper, who thus had it in their power to dictate the terms, the principles of division as settled by them are so equitable and just, that they have received the general approbation. By this correct and wise course of policy, the executive and legislative departments of that government have laid the foundation of a lasting harmony between the two states.

Assembled for the purpose of performing the first acts of legislation, on you is devolved the arduous and important duty of devising, maturing,

and perfecting a system of wise, equal and wholesome laws. Nor is the responsibility and difficulty of your situations, as members of the first legislature, diminished by the consideration that the consequences, which may result from your deliberations will have an important bearing on the generations, which are to succeed you, as well upon the present and future character and standing of the state.

The establishment and organization of a supreme judicial court will require your early attention. As the security of the people, the uninterrupted enjoyment of individual rights, the protection of property and the peace and harmony of society, in a great measure, depend upon the correct exposition and impartial administration of the laws through the instrumentality of our courts of justice, it is highly important to the people themselves, that such adequate compensation should be assigned to our first judicial officers as shall command the services of men of unquestioned integrity, possessing the first intelligence and extensive legal attainments.

Connected with the establishment of our judicial system there is a subject, which I submit to your consideration with great diffidence. Our statutes, which embrace, as is well known, but a small portion of our laws, are comprised in five or six large volumes. In many cases, in consequence of explanatory, additional, supplementary and partially repealing acts, it has become difficult to ascertain what the law is. Under a government such as ours, a government of laws, and not of men, it ought to be one of its first principles that the laws should be simple and plain and easy to be understood. A new and revised code of statute law therefore, it is believed is exceedingly desirable as it certainly is practicable. It also becomes an interesting question, whether it is not practicable, as well as desirable, to extend the revision still farther. When the United States assumed their independence, it became necessary for the several states, and Massachusetts among them, to adopt the then existing colonial statutes, together with the common law of Great Britain, embracing also a considerable portion of her statutes. This heterogeneous mass, with the statutes and judicial decisions of Massachusetts has been provisionally adopted by this state; in addition to which, we have those of the United States; the whole combined, forming such a variety of laws, opinions and judicial decisions, as to fill so many volumes, that few fortunes can purchase them, and still fewer capacities correctly understand them. A condensed, plain, perspicuous and well digested code, therefore, embracing every branch of civil and criminal law, as well as the forms of proceeding in the several courts, would, it is believed, be a most invaluable acquisition to the citizens of this state. That the compilation and establishment of such a code is not altogether visionary, is demonstrated by the fact, that such a code has not only been framed and established for itself by a foreign nation in our own times, but is universally acknowledged to be one of the greatest national benefits ever conferred on any country in any age. If the enacting of such a code is ever practicable under a government constituted like ours, there can be no period more favorable to its accomplishment, than the present, when we are just commencing our political course, as a new and independent state, and when so general a disposition prevails to harmonize in all measures calculated to promote the best interests of the community.—Should the legislature deem it expedient to adopt any measures preparatory to such a general revision

sion of our laws, I would recommend, that provision be made for establishing a *board of jurisprudence*, to consist of men best qualified for the duties of such a station, with instructions to digest and prepare such a code, and report the same to the legislature.

The situation of our fellow citizens, employed in agricultural pursuits, will not suffer in comparison with that of those of any other part of our country. It furnishes the most plenary evidence how advantageous this employment is to the people of our state. The encouragement which agriculture has received not only from government but from patriotic individuals, and the consequent advances which it has made, afford the most satisfactory evidence of the importance of a continued and more particular attention to that interest. The propriety of encouraging our various agricultural societies at this time cannot be doubted. As the inhabitants of a good soil and healthy climate, we owe it to a bountiful providence to do all in our power to make it the residence of men alike prosperous and happy.

The manufacturing business of the country is at this time acquiring new energy. The capital now employed, though already large, will necessarily be increased; as this state furnishes an unusual number of sites, where water power can be applied with advantage, I suggest for your consideration, whether there would not be a propriety and sound policy in exempting all such manufacturing establishments, as are or may be located within this state, as far as the principles of the constitution will admit, from every species of taxation for a considerable term of time. Some such encouragement the manufacturing interest at this time requires. If yielded, the state will no doubt find itself amply indemnified by the increase of capital and a large accession of respectable inhabitants.

The fisheries of our coast, bays and rivers are so connected, the one with the other, and are an interest so important to the people, that they will require your particular attention. The laws enacted for their regulation differ so materially, that it may well be doubted, whether all their provisions are calculated to promote the public good, and whether, in some instances, the views of individuals and sections of country have not been too much consulted.

The lands belonging to the state will also deserve your attention. Should a system be adopted for their management, calculated to prevent speculation, at the same time giving every encouragement to the real settler, the expectations of the best friends of Maine will be fully realized in an extended cultivation and an increased number of inhabitants. The system, which has hitherto been pursued, you will probably think has little to recommend it for further experiment. The inconveniences and embarrassments, which the settlement, as well as the settlers themselves, have in many instances experienced from the large proprietors, will, it is presumed, long be remembered in order to be guarded against by future legislators. A part of the public lands is covered with timber, which hereafter will be valuable; at the same time the land itself is not generally well calculated for settlement. The preservation of the timber therefore will be highly interesting to the state.

What progress has been made under the fifth article of the British treaty in settling the eastern boundary of the state against the province of New Brunswick, and the northern boundary against that of Lower Canada, I am not able to inform you.—As this state and Massachusetts have so deep an

interest in the settlement of these boundaries, there would seem to have been a propriety in the agent appointed on the part of the United States, being taken from one of these two states. But, under existing circumstances, you will consider whether the interest of the state does not require from you the adoption of such arrangements, as are best calculated to afford the present agent such information in relation to this important subject, as the people in this state have it in their power to give.

A revival of the militia law is rendered necessary with a view of conforming it to the equitable provisions of the constitution. Other improvements also will no doubt suggest themselves. The peculiar situation of this state renders the most particular attention to the militia necessary. Our future safety as well as the honor of the country requires it. And now that the service is to be performed equally by all, all will no doubt unite in rendering it highly honorable.

The arms received by the commonwealth of Massachusetts from the United States, are to be divided between the two states in proportion to the returns of the militia, according to which the arms were received. As an early application will be made for this state's proportion, your attention to the subject, as well as to the necessary provision for their deposit and security at some convenient place, is rendered necessary.

According to the terms of the act relating to the separation, one third of all such sums, as may be received from the United States on account of the claim of Massachusetts for expenses incurred for the defence of the state during the late war, is, when received, to be paid over to the state of Maine. Whatever difference of opinion may have existed in relation to the mode, there could be none as to the necessity of the expenditure incurred within this portion of the commonwealth; as the most valuable part of this district was defended in consequence of it. My situation during the late war gave me an opportunity to be acquainted with the details of the service of most of the militia within this section of the commonwealth. They were ordered out only on necessary and proper occasions; they were discharged immediately on the enemy's retiring. To the allowance of this claim the United States have interposed certain objections; but although the subject has been repeatedly presented to the consideration of congress, no definite decision has been passed upon its merits. It is believed to be interesting to the United States, as well as to Massachusetts and Maine, that you should adopt such measures in relation to it, as are best calculated to bring this claim to a speedy and equitable decision.

Having adverted to the defence of this part of the country during the late war, it would be neglect of duty on my part not to remind you, that, as there is no state in this union, whose inland frontier is more exposed, so there is none, which has so extensive and so exposed a maritime frontier, as Maine. Yet, while military roads are making to aid the defence of some portions of our country, and bays, rivers and towns, are fortifying for the defence of others, most of the garrisons and other works within this state, erected at considerable expense by the national government, are now without a single soldier to guard them, and for want of necessary attention rapidly falling into decay. It only requires that our situation should be properly represented and understood, that the procedure should be corrected and the desired effect produced.

The commonwealth of Massachusetts has stipulated to pay to the state of Maine, thirty thousand dollars for performing certain duties and obligations to the Indians within this state, provided the assent of the Indians and a release of that commonwealth from all her engagements to them are first obtained. In recommending this subject to your consideration, I indulge the hope that such measures will be adopted as, while they are least expensive to the state, shall be best calculated to protect the rights and secure to this, the last remnant of the natives, residing among us, all that comfort which they are capable of enjoying.

The amount for travel and attendance of the members of the late convention, and for incidental expenses, was twenty-one thousand one hundred and thirty-one dollars. The sum received from the treasury of Massachusetts, as provided by the act relating to the separation, was seven thousand seven hundred and forty-two dollars, leaving a balance of thirteen thousand three hundred and eighty-nine dollars. To discharge this balance and other accruing expenses, the sum of fourteen thousand dollars were borrowed from the banks of the state; for the repayment of which it will be necessary for the legislature to make provision.

The receipts into the treasury, agreeably to our present system of revenue, will be, from the state tax twenty-eight thousand seven hundred and eighty-six dollars; from the bank tax seventeen thousand and seven hundred dollars; from licenses probably six thousand dollars—to which add for the present year eight thousand dollars to be received from the treasury of Massachusetts, amounting in the whole to sixty thousand four hundred and eighty-six dollars. What is to be the amount of the expenditure of the state is by the people confided to you. It is very desirable that the receipts into the treasury should exceed by a considerable amount the estimated expenditure, in order that you may be enabled to endow our literary institutions, encourage agriculture and lay the foundation for such public roads, canals and other improvements, as the general interest of the state may require.

The existing embarrassments in our circulating medium cannot, it is believed, affect our revenues. The alarm, in relation to the country banks, which originated in the capital of Massachusetts, and unfortunately extended itself into this state, is fast subsiding; not however without having first reduced three of our fifteen banks to the necessity of suspending specie payments. This course it is presumed was intended by these banks only as a temporary measure, adopted to prevent improper sacrifices on their part, as well as to secure the holders of their paper against any eventual loss. The present situation of our monied concerns cannot be of long duration, in a section of country possessing so many advantages. A return to prudent economical pursuits and habits of life for several years past on the part of our farmers, has placed them in the most eligible situation. It is only necessary that the trading and mechanic portions of the community should imitate the example to derive equal benefits. The effect of such a course upon the prosperity, the morals, and the happiness of the people would soon become visible; confidence would be restored, and specie would resume its place in the vaults of the banks.

Admitted into the union as a constituent member of the American family, I need not remind you that the selection of two of our most distinguished citizens to represent this state in the senate of the United States has become necessary. In making

this important selection, I feel confident that the legislature will look with a single eye to the character, the honor, and the best interests of the state.

The constitution under which you are assembled points out generally those duties which it is necessary should be performed by the first legislature. Having, in conformity with the provisions of that instrument, suggested for your consideration such subjects as I consider deserving your attention, I request you, gentlemen, to be assured that nothing would afford me so much pleasure as concurring with you in all measures calculated to promote the general prosperity, so that our fellow citizens may view the present with satisfaction, and look forward with confidence to the future; and that, under the blessing of a wise and gracious Providence, the union of the states and the freedom and happiness of the people may be perpetual.

WILLIAM KING.

Council chamber, June 2d, 1820.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

London dates of May 4.

Thistlewood, Ings, Brunt, Tidd and Davidson were executed for high treason on the 1st of May. All the rest of the conspirators, except one, were embarked for Botany Bay, to be banished for life.

The account of their execution fills five heavy columns of a newspaper! The prisoners heard the annunciation of the time of their execution with great composure—Thistlewood said, "the sooner we go, sir, the better." Some of those that were respited expressed great joy—others heard of it without any emotion. Poor Gilchrist has been respited without mention of the commutation of punishment, and will probably be discharged.

The parting of these unfortunate men from their families is particularly described. They preserved a manly firmness. The scaffold for executing them was erected on Sunday, in part by torch light, in the presence of thousands of curious spectators—some of whom, in order to have a good view of the execution, remained in their places all night—and the windows within view of it were let out at one pound per head! Seven hundred special constables were on the spot—but the people behaved peaceably.

Early in the morning, the military, the constables and firemen were in attendance, and a little after 7 o'clock, all the horrid ceremonies being in readiness, Thistlewood was brought forth. "His deportment was firm, he looked round at the multitude with calmness." Tidd came next, and nodded familiarly to some persons that he knew. On his ascending the scaffold, Ings gave three cheers—and sung, "O give me death or liberty." At this time Thistlewood said to Tidd, "we shall soon know the last grand secret." Davidson was firm, without affecting indifference—and seemed to be engaged with the clergy present in attendance, whom the rest had rejected. Brunt appeared indifferent—he had a laugh on his countenance. Just before their caps were drawn over their eyes, Thistlewood said, "I have but a few moments to live; I hope you will tell the world that I died a sincere friend to liberty." Ings said, "I die an enemy to tyrants. Recollect, put that down;" and a little while after added, "I am not afraid to go before God or man. I know there is a God, and I hope he'll be merciful." The drop then fell, and in three minutes their sufferings were over.

At the end of half an hour, the bodies were cut down one by one, and beheaded by a person wearing a mask. This was done with a knife; and when the people saw it applied to the throat of Thistlewood, they raised a shout of horror and reproach. But the head was cut off and held up, while the executioner called out, "This is the head of Arthur Thistlewood, a traitor." When he was proceeding with Tidd, he was received with groans and hisses, and cries of "shoot the murderer"—"bring out Edwards," &c. which increased when he was beheading the last. The whole period of the execution was one hour and eight minutes. Quick lime was thrown on the bodies, after they had been placed in the coffins. The person that decapitated them was the same that beheaded colonel Despard, and his associates, several years ago.

Here follows a long account of the conduct of those executed, on the day and night previous. Ings and Brunt were callous of feeling, except on account of their families. Thistlewood and Tidd were sedate, and Davidson serious, praying several times.

And thus ends the famous "Cato street conspiracy"—which has occupied a space and excited a degree of public attention far beyond the real merits of the case.

A reward of 300*l.* is offered for two persons charged with high treason at Glasgow.

The queen's arrival in England was shortly expected.

The London Sun says, that sir Henry Wellesley, ambassador to Spain, was likely to return soon, without the formality of taking leave of the Spanish court. If's lady, we understand, is already on her journey home.

The chancellor of the exchequer has proposed that there be granted to his majesty, a revenue of 850,000*l.* per annum for Great Britain, and 270,000 for Ireland, to commence from the demise of the late king.

Money is so abundant in London, that good bills are readily discounted at 4 per cent., and for short periods, at 3 and even 2 per cent. On the 3d of May, 3 per cent. consols were at 68½; American 6 per cents. 102 a 103—U. S. bank shares, 22½. Wheat, average, April 22, 68s. 11d.

FRANCE.

The celebrated *Volney* lately died at Paris. He met his fate with "philosophic courage." Sarazin has been sent in chains to his place of destination. The trial of Louvel was soon to commence. Recruiting goes on actively in France. The nation appeared to be quiet.

SPAIN.

A round-about report reached us last week, which stated that the king of Spain had ran away from Madrid and escaped into France.

The London Star, of April 1st, mentions the receipt of two letters, affirming that the king of Spain had despatched a letter to the king of France, in which he declared "that he had only taken the oath to maintain the constitution of the cortes, in order to prevent his being dethroned; but that his sentiments remained unchanged." The same paper adds, that another letter, subsequently received, states that Ferdinand "had privately made out a solemn protest against his own oath and all the concessions consequent thereon, as not being given with his free will, but wrung from him by force. This protest, (continues the letter,) he sent off by a courier to the family here, (at Paris) to be deposited in the archives, until a proper occasion should offer for its production. But Mina intercepted the

bearer of it, took a copy, and then allowed the bearer to proceed with the original."

A plot to assassinate Mina was discovered at Pampeluna.

Five friars entered into a conspiracy to unite the galley slaves at Alicant, (400 in number,) against the constitution! They were happily detected, and all things soon quieted.

¶ We have heard of private letters of late dates from Madrid, written by persons of great respectability, which represent the new order of things as completely settled. The most odious of the late persecutors of the patriots are politically dead, and remain undisturbed. The king has entirely changed the manner of his life, and seems as if made a new man of. He mixes freely with society, with but little formality, and professes himself to be, and really appears to be, much gratified with the change; and oftentimes expresses his regret that he did not know the happiness derived from such an intercourse with the people. He was becoming popular, and takes his ride or his walk with very few attendants, saluting the people politely, who treat him with the greatest respect, and yet with a familiarity hitherto (at least for centuries,) unknown in Spain. If Ferdinand is honest in all this—"may he live a thousand years!"

Congratulation of the consul of the United States of America to the constitutional council of the city of Cadiz, on the change in the government of Spain.

As a citizen of the United States of America, and as their consular representative in this city, I embrace, with the highest satisfaction, the earliest opportunity of tendering to your excellencies my cordial and sincere felicitations upon the great and glorious event which I have witnessed. On the restoration of liberty to a nation so worthy to possess it, I have contemplated, with admiration, the happy means by which it was obtained, and the good order observed throughout, but particularly in this capital, during successes so interesting; and now that this nation, like my own, enjoys the right to be free, I feel it my duty, among the first, to manifest to your excellencies these the sentiments of my countrymen and myself on so auspicious an occasion.

God preserve you many years.

O. RICH.

April 5, 1820.

Answer of the constitutional council.

The cordial congratulation contained in your letter of the 5th April inst. has been in the highest degree flattering and gratifying, both as coming from you as a citizen of the United States, and in your capacity as a consul of so great a people; nor has less pleasure been received from the indication given by all your countrymen, of their being actuated by the same liberal feelings. We share in your felicitations upon our having broken the chains rivited by superstition and despotism; and we honor with equal veneration the names of Washington and Quiroga.

Liberty and justice are now the fundamental bases upon which all the operations of the Spaniards are to be grounded; consequently you may assure your countrymen, that henceforth they need apprehend none of those fiscal regulations which were mysteriously conducted, and which appeared calculated to excite distrust and to impede the pursuits of commerce, which should be always open, to enable us to preserve the intercourse of nations as members of the same family. These are the liberal principles prescribed by our

sacred constitution, and which shall be inviolably observed.

God preserve you many years.

SALVADOR DE ALAGON, *Sec'y.*

April 6, 1820.

Proclamation of the king of Spain to his South American subjects.

"THE KING TO HIS SUBJECTS BEYOND THE SEAS.

"*Spanish Americans:* When, in the year 1814, my arrival in the capital of imperial Spain was announced, fatality induced the restoration of certain institutions which long and confirmed habits had caused us to regard as superior to others, which, being more ancient, were irreconcilable to existing prejudices, and could not be modified in any distinct forms. The unhappy experience of six years, and the disgraceful evils which went on accumulating by those means which were deemed likely to produce universal happiness—the general complaints of the people in both hemispheres, and their energetic demonstrations, convinced me of the necessity of returning back to that line from which we had incautiously deviated: and seeing that the general wish of the nation, impelled by that principle which had distinguished and elevated it on the great stage of the world to that height which it should hold among other nations, induced me to adopt those sentiments, identifying myself most sincerely and cordially with them, and caused me to adopt, recognize, and swear to, according to a spontaneous proposition, the constitution formed in Cadiz by the general and extraordinary cortes, and proclaimed in that city in March, 1812. Nothing can possibly exceed my satisfaction at the universal rejoicing which took place; and the real heroic generosity of the people, who are susceptible of errors but not of crime, will quickly obliterate the recollection of past evils. The Spaniards at this day, present a spectacle for admiration to all Europe, solemnly pledging themselves to their constitutional system, which justly estimates the reciprocal duties between the nation and the throne. A state so securely poised, and founded on the most durable basis, on which are bottomed alike true liberty and public credit, promising that the new institutions shall find their best security in favorable and permanent results, combining the improved state of science with the dictates of sound policy, and establishing the military and naval strength of the nation on principles which will render it the most effectually applicable as circumstances shall require, and bidding fair to restore in all things, that respect and consideration which we have lost.

"A new flood of light is shed across both Spanish hemispheres, and nothing can exceed the refulgent brightness which already illumines, or the ardor which is felt from the sacred fire of patriotism. I congratulate myself as the first to feel this sweet and generous emotion; I also exult in having to announce it; and I exhort you to hasten to enjoy such immense benefits, by accepting and swearing to a constitution which is framed for the felicity of you and yours. I affirm to you, I sacrifice nothing, when I feel that, by confirming this fundamental law, I shall secure your happiness: and, though it might be productive of evil to me, I should equally have acquiesced, persuaded that the honor of majesty should weigh as nothing when placed in competition with the public good.

"Americans!—You have deviated from the line of your true interest—you feel by this time what your misconduct has cost you—those immense fatigues—those perils without end, sanguinary wars, fright-

ful devastations, and the extremities of all evils.—Nothing has resulted to you but tears and griefs, turbulence and heart burnings, cruel imprisonments, starvation, destructions by fire, devastation, and unheard of horrors—results which will entail disgrace upon you to future generations—what can you hope from such? Hear the soothing voice of your king and father. Expel that disquietude and restless distrust which agitate you, and replace those in your bosom by affectionate and generous sentiments. No longer regard vengeance as a virtue, nor odious animosity as an obligation. The two hemispheres have nothing inherent in them to prohibit lasting and reciprocal friendships; nor is it in nature that you, who are true brothers, can be enemies. You speak but this same language—you profess but the same religion—you are governed by the same laws—adhere to the same customs—and, above all, you are adorned by the same virtues—virtues the true offspring of valor, of generosity, and the supreme elevation of great souls. Renew with the mother country those relations, which for three centuries, your progenitors, the favored children of victory, have labored to establish. Renew also those reciprocal relations which the new lights of the day, and the system of a representative government require. Throw aside your arms, and cease that destructive warfare which has occasioned so many terrible evils, which must be recorded in history in letters of blood. With arms so wielded, the lives of kindred individuals of the same families must be sacrificed—sacrifices which must involve self-desperation and self abhorrence! The universal nation is actuated by my wishes, and will enable me, by all its means, to triumph without violence, over those obstacles which but prolong a state of public calamity. We have adopted a system more ample in its principles, and conformable to those which you yourself have wished for; our distinctive character directs the reciprocal observance of a frank and loyal conduct opposed to that of a mistaken and too cunning policy, which, by its false and intricate combinations can but seldom hope for favorable results. The mother country gives you the example; follow it Americans, it will but insure your present and future felicity; give to the mother country a ground of hope, that in an age so pregnant with great and extraordinary events, the love of order and the general good, accords with all your wills, and the results from your uniform opinions.

"The cortes, whose name alone is a favorable pledge of important benefits and successes for all Spaniards, is about to assemble. Your brothers of the peninsula anxiously hope, with extended arms, for the accomplishment of their wishes in your hastening to fraternize, to unite in conference with them as equal subjects, on those remedies which the necessities of the country require, and of your own particularly; the security of your persons is guaranteed by the laws of national honor, and which sacred code the country has sworn in the face of the universe religiously to observe. Reunite, therefore, with the fathers of the country, conciliate wise predilections of the people, contribute to the safety of the state, fix forever the happy destinies of the two worlds, and entitle yourselves, above all, to that immortal crown which is conferred by the blessings of a grateful posterity! What benefits, what felicity will not this much desired union produce! Commerce, agriculture, industry, science, and art, will flourish with unprecedented brilliancy in this happy country, and universal, undisturbed tranquility, the precious offspring

of mutual concord; and a constitutional government common to all, in which nothing unjust or arbitrary can exist, will elevate us to the highest pitch of prosperity to which man is capable of attaining. But if those salutary counsels given from the recesses of my heart, and if that true and friendly hand which your dear country holds out to you—this country which has produced so many of your fathers, and which has the authority to prescribe—be not attended to, you will have to fear all those evils which the furor of a civil war produce—all those evils which accrue to a state, destitute of its natural and legitimate government, and which result from the insidious seductions of ambitious men, who promote the horrors of anarchy, with a view of wresting into their hands the sceptre of government; those unprincipled spoilers, unknown adventurers—those foreign intruders, who seek earnestly for occasions to sow the germs of discord and confusion—who endeavor but to divide, but to dominate; in fine all the horrors and convulsions which states suffer in the most violent crisis, produced by the effervescence of political principles and passions, will await you! And when you will feel all these terrible effects to be expected from national indignation and a justly offended government—a government most strong and powerful when supported by the people, and directed according to the principles which actuate them. Oh! may such a moment of considerate obstinacy never arrive! Never; for the poignant grief which it must create could, but for a short interval, be borne by your tender and indulgent father,

“FERDINAND.”

PORTUGAL.

Letters from Lisbon state, that the regency has adopted the most vigorous measures to prevent the introduction of the Spanish newspapers into the realm!

POLAND.

A beautiful monument has been erected at Janow, in memory of Kosciusko.

EAST INDIES.

We have some particulars of the disasters of the Dutch, in their attack upon Palembang. They lost 500 Europeans by sickness and battle, and the natives had a work which mounted 100 pieces of cannon to defend the entrance of the river. The admiral on the station, has advised his government to renounce all its pretensions to territory in this quarter, except to Java and the Moluccas.

The Calcutta Journal of January 24, contains an official account of the capture of the town of Ras-ul-Khyma, the rendezvous of the pirates in the Persian Gulf, by the British expedition under major. Kerr, after a resistance of six days. The loss of the British was about fifty killed and wounded; among the former major Wolesworth. The Arabs effected a retreat to the neighboring hills and date groves. One of the chiefs, after the retreat, returned and gave himself up to the British. The pirates had 62 pieces of cannon mounted on their works; they left 300 killed and 700 wounded.

WEST INDIES.

Two large French ships, laden with flour, have arrived at Havana from Bordeaux, but with clearances from St. Andero, in Spain, and their cargoes admitted at so low a rate of duty, as, if persevered in, it is said, will wholly stop the demand from the United States for that great staple of our country.

We have a very pleasing account of the proceedings at Porto Rico, on proclaiming the constitution of the cortes. A grand Te Deum was sung in the cathedral, and all that religious ceremony or mili-

tary parade could do, were added to give dignity to the occasion. Don Vapullo, colonel of the regiment of Grenada, and a “Spanish citizen,” addressed the troops, and spoke handsomely in favor of freedom. The account is published at the “national printing office.”

Gen. *Reuvaldes* died in the Moro castle on the 22nd ult. He had of late resided in New Orleans, but proceeded to Havana just after the news of recent events in Spain. He was arrested there with several other officers, on a charge of having attempted a conspiracy to overthrow the present government, and establish the independence of Cuba.

BRAZIL.

By an arrangement between the court of Naples and that of Brazil, 500 galley slaves have embarked at the former for Rio Janeiro—very much to their own satisfaction. Married men were permitted to take their wives. It is said that thousands of criminals have petitioned the king of the two Sicilies for permission to be sent to Brazil.

It is remarked that—While 20,000 free emigrants increase every year the free population of the United States of America—Brazil, the soil and climate of which is infinitely finer, is obliged to call criminals from Europe to augment the number of its subjects.

SOUTH AMERICA.

When the people of Campeachy heard the news of the adoption of the constitution of the cortes, by the mother country, the inhabitants took the archbishop, or high priest, from his bed, at 12 o'clock at night, and compelled him to ring the church bells till day-light!

From *Chili*, we have the details of the capture of Valdivia, a very strong post in the southern part of that country, and until then held by the Spaniards—naturally almost impregnable, and fortified at the expense, as Lord Cochrane supposes, of a million of dollars, mounting 100 pieces of cannon, disposed in a number of batteries. These were carried in a gallant style, with the loss of only five killed and sixteen wounded. The Spaniards, confident in the strength of their works, seem to have been unprepared for much resistance. A considerable part of the garrison escaped. Cochrane at first resolved to destroy the fortifications, but considering it would be wrong to leave what he calls the “safest and most beautiful port,” of all he had seen in the Pacific, defenceless, he had refrained from doing so. The royal frigate *Dolores* was captured in the port.

From *Venezuela*, we learn that the patriots had fortified Rio de la Hache, and intended shortly to proceed against St. Martha. It is said that an attempt was lately made to poison Morillo; but the plot was discovered, and many persons had been apprehended as participators in it—among them some of those who appeared to be his best friends, and twenty females.

Buenos Ayres, &c. It was only last week that we published a treaty, concluded at Buenos Ayres, between Saratea, Ramirez and Lopez, for restoring peace and quietness to the provinces, with an apparent view to the establishment of a federal government. This convention is dated the 20th of February last. We have since seen a great mass of documents and papers, enough to fill an entire *Register*, relating to the antecedent and subsequent events. The chief things that seem to be worthy of note are as follows:

For several days after the entry of what is called the federal party, every thing seemed to go on well; but, about the 5th of March, Gen. Balcarce, and

others, who are called the adherents of Pueyrredon, effected a counter-revolution, and obliged the Carreras, and all the federalists, to fly to the army, lying a short distance from Buenos Ayres. Balcarce was invested with the powers of the dictatorship. Many of the best officers and most distinguished citizens, with two regiments and several smaller bodies of troops, went over to the federalists. On the 12th of March, the troops on whom the dictator chiefly relied, left him, and then he made his escape. At 5 o'clock on the same day, Saratea returned to his command, amidst the shouts of the people. Up to the 18th, many of the partisans of Pueyrredon were arrested; but Balcarce, and eight or nine others, were not then taken. Strong measures had been adopted to preserve the public peace. But all these great changes were effected without bloodshed; and, at our last date, the 20th of March, things appeared to be settling down into order.

From the documents published since the flight of Pueyrredon, his whole administration appears to have been a tissue of corruption and deceit. It seems that he, in conjunction with the late congress, had secretly formed, or were negotiating, a treaty with France, for the reception of a king from the Bourbon family, now in Italy, the prince of Lucca, in support of whom France was to advance 12 millions of livres, and Portugal to guarantee the measure, on a cession of the Oriental district. All the members of congress, who signed the agreement to have a king, were arrested, with the exception of three persons, who accompanied their signature with a protest.

It also appears that Pueyrredon treacherously prevented the conquest of Upper Peru by San Martin, by throwing impediments in his way. On the whole, he seems to have been as profligate a character as ever was entrusted with the government of a state.

We are not able to gather what will be the probable result of these commotions—we hope for the best, and wait patiently further advices. A time of public commotion is not that which is best fitted to ascertain truth. The general design, however, appears to be to establish a federal government, on equitable principles—to which the province of Buenos Ayres will be a party, not the dictator, as heretofore. We do not see why France should have interfered in this matter, except, indeed, as has been observed, with the sole view of checking the growth of republics.

It is said that the Portuguese had recently gained some considerable advantages over Artigas, and that he had been deserted by his second in command at the head of a considerable body of troops. It was expected that the new government of the provinces would declare war against Portugal.

CHRONICLE.

Died, at his residence in South Carolina college, at Columbia, on the 4th inst. Dr. Jonathan Mayes, for 16 years the president of that institution—a gentleman and a scholar, and much regretted by all who knew him.

A letter from Utica, N. Y. of the 3d inst. states that fresh butter, of an excellent quality, sold that day at four cents per lb., and very fine lamb at twenty-five cents per quarter.

The U. S. schooner Lynx has seized another piratical vessel, with a crew of 24 men, and sent her to New-Orleans. The state of things in this city and its neighborhood is of the most unpleasant

character—and nothing but a strong arm will relieve either of a great number of persons, chiefly foreigners, who are a disgrace to the human family.

A Spanish Guineaman has lately committed acts of sheer piracy on two American vessels—plundering them in the most outrageous manner, and maltreating their crews.

The military road, from the Tennessee river to lake Ponchartrain, it was supposed, would be completed by the troops employed upon it before the end of the present month. Bridges were built and ferries established, so that the journey might be conveniently made on horseback in the beginning of May. This road lessens the distance to New Orleans, by land, compared with the route hitherto taken, from three to four hundred miles.

The Ancient artillery company at Boston was instituted in 1638. It held its anniversary meeting on the 5th inst. After which the members dined together, with a numerous body of invited guests, of the highest respectability. Among the toasts drank, was the following:

"Hancock and Adams," who yet speak on our festival day, and whose voice is—old times and old principles.—May the spirit which gave birth to our association, preserve it as long as our country has a blessing worth fighting for.

[There are two pieces of cannon belonging to the company. One of them often spoke in the revolution, but its original companion, if we recollect rightly, was captured, and now is in the tower of London, preserved as a trophy.]

A small balloon, sent up from the university in Baltimore, at 7 o'clock on the evening of the 30th ult. was found the next day near Chester, in Pennsylvania, (the time of its descent not stated.) The distance in a direct line is perhaps about 90 miles.

Naval. From the Norfolk Beacon, of June 5.—We take peculiar pleasure in stating, which we do upon unquestionable authority, as an evidence of the mutual attachment and confidence existing between the officers and seamen, as well as of the happy state of discipline of our navy, that a few days since, the entire crew of the U. States frigate Constellation, (one of the squadron lately under the command of com. Morris), and commanded by capt. John B. Nicholson, were paid off; the pay received by them amounting to \$12,000; in ten days from the time of their discharge, the whole crew re-entered the service for a three years' cruise on board that ship, now commanded by capt. Ridgely: a circumstance, we believe, without example, in the naval service of this or any other country.

The following is given as a summary amount of the officers, whose names are inserted in the Naval Register of the United States:

Captains	:	:	:	:	:	33
Master-commandants	:	:	:	:	:	31
Lieutenants	:	:	:	:	:	213
Surgeons	:	:	:	:	:	47
Surgeons' mates	:	:	:	:	:	50
Pursers	:	:	:	:	:	46
Chaplains	:	:	:	:	:	13
Midshipmen, on the list	:	:	:	:	:	350
Sailing-masters	:	:	:	:	:	70
Boatswains	:	:	:	:	:	20
Gunners	:	:	:	:	:	23
Carpenters	:	:	:	:	:	17
Sailmakers	:	:	:	:	:	12

Marine corps.

Lieut. Colonel	1	1st Lieutenants	24
Captains	9	2d Lieutenants	46

Naval depot. It is said that the commissioners, captains Warrington and Eliot of the navy, and gen.

Bernard, of the engineers, have fixed upon Charlestown, in the harbor of Boston, as the most suitable site for the northern naval depot. The cost of the works necessary to defend this place would be comparatively small, Boston being already strongly fortified.

The Indians. We have a report that a dreadful civil war rages among the Choctaws, originating in a private resentment, but now occupying the whole tribe. It is said that two parties of the nation met, each about 150 strong, who fought until not more than ten or twelve of the combatants were left alive!

Specie. The ship Franklin, from Charleston, brought nearly 100,000 dollars in specie—and the Charleston Packet, hourly expected, has also on board a large sum. We understand this money was sent out from England to purchase cotton; but the article was held too high for speculation. *N.Y. Gaz.*

Power of steam. On the 4th instant, the line of battle ship Franklin, was towed from the North river, at New-York, round to the navy-yard, in East river, by two steam boats, with great apparent ease, though the tide was running against them at the rate of four miles per hour. In time of war, this application of steam power may of the greatest importance.

Canal navigation. The Utica Patriot gives a list of 28 boat arrivals, on the canal, between the 21st May and 6th June. Among them the Montezuma, constructed for passengers, which plies regularly between Utica and Salina, and performs a trip every two days. We also notice the arrival of a boat from Cayuga, with 250 bbls. flour.

Travelling. The route from Fayetteville, N. C. to Norfolk, 230 miles, is now performed in stages, in three days, without travelling in the night—and passengers may reach Baltimore from the latter place in the steam boat in one day more, a distance of nearly 200 miles. It is pleasing to notice these things as shewing the progress of improvement.

It is stated in a Louisville paper, that colonel R. M. Johnson, a senator in congress from Kentucky, travelled from Washington city to his residence, a distance of near 600 miles, in seven days. [If any one had prophesied such a journey 25 years ago—]

The Ithaca Journal says, that the journey from New-York to Buffalo, can now be performed in three days, by taking the stage from Newburgh to Ithaca, the steam boat Enterprize from Ithaca to Cayuga bridge, and the stage from thence to Buffalo.

An unlucky thief. A gentleman, resident near Easton, Pen. recently sent his daughter to town on horseback, to get a \$100 bank bill changed into notes of smaller denominations. The bank being shut, she did not succeed, after having applied at several stores; and on her way home, a very polite gentleman on horseback, overtook and solicited the honor of her company on the road. They proceeded until they arrived at a convenient place, when the gallant gentleman presented a pistol at her breast and demanded the note: she drew it forth, but her hand trembling, it slipped from her fingers and was carried a considerable distance backward by the wind. The fellow dismounted, and left his horse standing—the alarmed girl gave her's the whip, the robber's followed at full speed; a pistol discharged by the villain at the young woman hastened her horse, and she reached home

safe and sound, accompanied by the robber's horse; worth at least \$100—and in the saddle-bags, besides a large quantity of counterfeit notes, \$1500 in genuine bank bills were discovered. No one has appeared to claim the property!

Poll tax of Connecticut. By an act passed at the late session of the legislature of Connecticut, the polls of all white male persons, from the age of 21 to 70, are required to be inserted on the tax list, at thirty dollars each, with a proviso, that the assessors and board of relief of each town, may abate or exempt from taxation, the polls of infirm, sick and disabled persons, not exceeding one tenth part of the taxable polls. And it is further provided, that the polls of ministers of the gospel, of all denominations, during the time of their ministry, and instructors and students in colleges and incorporated academies, shall be exempt from taxation—and also, the polls of officers and privates of the militia, provided each person liable to perform militia duty, and claiming such exemption, shall produce a certificate from the proper officer, on or before the 20th of October in each year, "*That he is equipped according to law, and dressed in uniform, and has performed military duty during the preceding year.*"

Pennsylvania. At a meeting held in the court house at Pittsburg, Penn. without distinction of parties, and composed of from two to three hundred citizens, resolutions were passed which evinced the sentiments of the meeting to be highly friendly to the promotion of *manufactures and internal improvement.* The thanks of the meeting were given to Henry Baldwin, esq. for his able endeavors on the floor of congress, to advance those great interests, and he was nominated for a re-election. Walter Lowrie, esq. also obtained the acknowledgments of the meeting for his aid of the manufacturing interest.

New-Orleans. We have accounts from this city to the 24th ult. Numerous attempts to fire the town had been detected. The public mind was exceedingly agitated, on account of the threats made to release the pirates, at every hazard. There had been one alarming fire near the jail, and another at the arsenal, both of which did much damage. The latter endangered a great part of the city and shipping. One hundred barrels of powder were in the magazine, which was fire-proof; but six hundred muskets in the arsenal, strangely left loaded with ball cartridges, were destroyed. Happily they were stacked, so that they were discharged in the air. Twenty buildings were consumed on this occasion.

By the steam boat Robert Fulton, which touched at Charleston on the 6th inst. on her way from New-Orleans to New-York, we learn that the captain (Desfarges) and first lieutenant (Johnson) of the piratical schooner Bravo, were executed on the 25th May. Fifteen of the crew were respited for sixty days, and one had been pardoned.

Texas. Fifty three persons were recently arrested by the marshal of the district of Louisiana and brought to New-Orleans, charged with the intention of making an irruption into the province of Texas. They were without arms. After being examined, the district judge of the United States ordered the proceedings of the general government to be discontinued against all of them except four, against whom it is alleged there is evidence sufficient to commit them for trial. The remainder are detained under the vagrant law of the state.

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 16—VOLUME VI—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

British Conspirators.

From the London Observer, of April 50.

This morning at a quarter after nine, lord chief justice Abbott, lord chief justice Dallas, the chief baron, Mr. justice Richards, Mr. justice Best, and the common serjeant, took their seats.

Mr. Brown, the gaoler, was immediately requested to bring the prisoners to the bar. In a few minutes the clank of chains was heard, and the eleven prisoners entered the court. They were all double ironed, with the exception of fugs, who has been much indisposed since his conviction. Thistlewood came first, and advanced to the bar. There was a melancholy resignation in his countenance. He appeared considerably altered since the last time of his being in court.

All being in readiness,

Mr. Shelton, (the clerk of the arraigns,) addressing himself to Thistlewood, said, "Arthur Thistlewood, you stand convicted of high treason, what have you to say why you should not receive judgment to die, according to law?"

Thistlewood immediately drew forth a manuscript address, which he proceeded to read in a mournful tone, and with a strong provincial accent, as follows:

"My lords,—I am asked, my lord, what I have to say that judgment of death should not be passed upon me according to law. This to me is mockery; for were the reasons I could offer incontrovertible, and were they enforced even by the eloquence of a Cicero, still would the vengeance of my lords Castlereagh and Sidmouth be satiated only in the purple stream, which circulates through a heart more enthusiastically vibrating to every impulse of patriotism and honor, than that of any of those privileged . . . to their country, who lord it over the lives and property of the sovereign people with barefaced impunity. The reasons which I have, however, I will now state—not that I entertain the slightest hope from your sense of justice or from your pity. The former is swallowed up in your ambition, or rather by the servility you descend to, to obtain the object of that ambition—the latter I despise. Justice I demand. If I am denied it, your pity is no equivalent. In the first place,

"I protest against the proceedings upon my trial, which I conceive to be grossly partial, and contrary to the very spirit of justice,—but, alas! the judges who have heretofore been considered the counsel of the accused, are now, without exception, in all cases between the crown and the people, the most implacable enemies of the latter. In every instance the judges charge the jury to find the subject guilty; nay, in one instance, the jury received a reprimand, and that not in the gentlest terms, for not strictly obeying the imperious mandate from the bench.

"The court decided upon my trial to . . . rather than depart in the slightest degree from its usual forms. Nay, it is with me a question, if the form is usual which precluded me from examining witnesses to prove the infamy of Adams, of Hiden, and of Dwyer." Ere the solicitor general replied to the address of my counsel, I applied to the court to hear my witnesses. The court inhumanly refused,

ed, and I am in consequence to be consigned to the scaffold. Numerous have been the instances in which this rule of court has been infringed; but to have infringed it in my case would have been to incur the displeasure of the court, and to forfeit every aspiring hope of promotion. A few hours hence and I shall be no more: but the nightly breeze which will whistle 'over the silent grave that shall protect me from its keenness, will bear to your restless pillow the memory of one, who lived but for his country,—and died when liberty and justice had been driven from its confines by a set of For life, as it respects myself, I care not; but while yet I may, I would rescue my memory from the calumny which I doubt not will be industriously heaped upon it, when it will be no longer in my power to protect it.

"I would explain the motives which induced me to conspire against the ministers of his majesty, and I would contrast them with those which these very ministers have acted upon in leading me to my ruin. To do this, it will be necessary to take a short review of my life for a few months prior to my arrest, for the offence for which I am to be executed without a trial—or at least without an impartial one, by a jury of my peers.

"'Tis true, the form, the etiquette of a trial has been gone through; but I challenge any of the judges on the bench, to tell me, to tell my country, that justice was not denied me in the very place, where justice only should be administered. I challenge them to say that I was fairly tried. I challenge them to say if I am not murdered, according to the etiquette of a court, (falsely denominated) of justice. I had witnesses in court to prove that Dwyer was a villain beyond all example of atrocity. I had witnesses in court to prove that Adams was a notorious swindler, and that Hiden was no better. These were the three witnesses, indeed almost the only ones against me; but the form and rules of court must not be infringed upon to save an unfortunate individual from the scaffold.

"I called those witnesses at the close of Mr. Adolphus' address to the jury, and before the solicitor general commenced his reply, but the court decided that they could not be heard. — Some good men have thought, and I have thought so too, that before the jury retired, all evidence was in time for either the prosecutor or the accused, and more particularly for the latter; nay, even before the verdict was given, that evidence could not be considered too late. Alas! such people drew their conclusion from principles of justice only—they never canvassed the rules of court, which have finally sealed my unhappy doom!

"Many people who are acquainted with the barefaced manner in which I was plundered by my lord Sidmouth, will, perhaps, imagine that personal motives instigated me to the deed: but I disclaim them. My every principle was for the prosperity of my country. My every feeling—the height of my ambition was the welfare of my starving countrymen. I keenly felt for their miseries: but when their miseries were laughed at, and when, because they dared to express those miseries, they were — — — my feelings became

too intense, too excessive for endurance, and I resolved on vengeance—I resolved that the lives of the instigators should be the requiem to the souls of the murdered innocents.

"In this mood I met with George Edwards. And if any doubt should remain upon the minds of the public, whether the deed I meditated was virtuous, or contrary, the tale I will now relate will convince them, that in attempting to exercise a power which the law had ceased to have, I was only wreaking national vengeance on a set of wretches unworthy the name or character of men. This Edwards, poor and penniless, lived near Picket-street, in the Strand, some time ago, without a bed to lie upon, or a chair to sit in. Straw was his resting place; his only covering a blanket. Owing to his bad character and his swindling conduct, he was driven from thence by his landlord. It is not my intention to trace him through his immorality—suffice it to say that he was in every sense of the word a villain of the deepest atrocity. His landlord refused to give him a character. Some short time after this he called on his landlord again; but mark the change in his appearance—dressed like a lord, in all the folly of the reigning fashion. He now described himself as the right heir to a German baron, who had been some time dead; that lords Castlereagh and Sidmouth had acknowledged his claims to the title and property, had interfered in his behalf with the German government, and supplied him with money; to support his rank in society. From this period I date his career as a government spy.

"He got himself an introduction to the Spenceans—by what means I am not aware of—and thus he became acquainted with the reformers in general. When I met with Edwards, after the massacre at Manchester, he described himself as very poor; and after several interviews, he proposed a plan of blowing up the house of commons. This was not my view—I wished to punish the guilty only, and therefore I declined it. He next proposed that we should attack the ministers at the *fete* given by the Spanish ambassador. This I resolutely opposed, because the innocent would perish with the guilty; besides, there were ladies invited to the entertainment, and I, who am shortly to ascend to the scaffold, shuddered with horror at the idea of that, a sample of which had previously been given by the agents of government at Manchester, and which, the ministers of his majesty applauded. Edwards was ever at invention: and at length he proposed attacking them at a cabinet dinner. I asked where were the means to carry his project into effect. He replied, if I would accede, we should not want for means. He was as good as his word: from him came, notwithstanding his apparent penury, the money provided for purchasing the stores, which your lordships have seen produced in court upon my trial. He who was never possessed of money to pay for a pint of beer, had always plenty to purchase arms or ammunition. Amongst the conspirators he was ever the most active: ever inducing people to join him, up to the last hour ere the undertaking was discovered.

"I had witnesses in court who could prove they went to Cato-street, by appointment with Edwards, with no other knowledge or motive than that of passing an evening amongst his friends. I could also have proved that subsequent to the fatal transaction, when we met in Holborn, he endeavored to induce two or three of my companions to set fire to houses and buildings, in various parts of the metropolis. I could prove that subsequent to that again, he endeavored to induce men to throw hand-

grenades into the carriages of ministers as they passed through the streets; and yet this man, the contriver, the instigator, the entrapper, is screened from justice and from exposure, by those very men who seek vengeance against the victims of his and their villainy. To the attorney and solicitor general I cannot impute the clearest motives. Their object seems to me to have been rather to obtain a verdict against me than to obtain a full and fair exposition of the whole affair since its commencement. If their object was justice alone, why not bring forward Edwards as a witness, if not as an accomplice; but no, they knew that by keeping Edwards in the back ground, my proofs—aye, my incontrovertible proofs of his being a hired spy, the suggester and promoter, must, according to the rules of court, also be excluded.

"Edwards and his accomplices arranged matters in such a manner, as that his services might be dispensed with on the trial, and thus were the jury cut off from every chance of ascertaining the real truth. Adams, Hiden, and Dwyer, were the agents of Edwards, and truly he made a most admirable choice, for their invention seems to be inexhaustible: With respect to the immorality of our project, I will just observe that the assassination of a tyrant has always been deemed a meritorious action. Brutus and Cassius were lauded to the very skies for slaying Caesar: indeed, when any man, or any set of men, place themselves above the laws of their country, there is no other means of bringing them to justice than through the arm of a private individual. If the laws are not strong enough to prevent them from murdering the community, it becomes the duty of every member of that community to rid its country of its oppressors.

"High treason was committed against the people at Manchester, but justice was closed against the mutilated, the maimed, and the friends of those who were upon that occasion indiscriminately . . .

"Albion is still in the chains of slavery—I quit it without regret—I shall soon be consigned to the grave—my body will be immured beneath the soil whereon I first drew breath. My only sorrow is, that the soil should be a theatre for slaves, for cowards, for despots. My motives, I doubt not, will hereafter be justly appreciated. I will, therefore, now conclude by stating, that I shall consider myself as murdered, if I am to be executed on the verdict obtained against me, by the refusal of the court to hear my evidence. I could have proved Dwyer to have been a villain of the blackest dye; for, since my trial, an accomplice of his, named Arnold, has been capitally convicted at this very bar, for obtaining money under circumstances of an infamous nature.

"I seek not pity; I demand but justice: I have not had a fair trial, and upon that ground I protest that judgment ought not to be passed against me."

Mr. Shelton next addressed himself to Davidson, and put to him the same question which he had put to Thistlewood. Davidson advanced, and spoke to the following effect:—

"My lords, you ask me what I have to say why I should not receive judgment to die for what has been said against me? I answer that I protest against the proceedings in this trial in toto. In the first place, I always thought that in a court of justice the balance of justice was held with an even hand. But this has not been the case with me; I stand here helpless and friendless. I endeavored to show that the evidence against me was contradictory and incredible; and I hoped I had made an

impression on the gentlemen in the box; but the moment I was done, the attorney general got up, and told them that the evidence was pure and uncontaminated, and to this I may add, that Mr. Baron Garrow almost insisted that they should pronounce me guilty. I would ask, has any person identified me but the officers? who, everyone knows, have at all times been instrumental to the death of innocent persons. I do not now plead for my life; I know I must fall a victim to the vengeance of my enemies. But in what manner have I been guilty of high treason? It would seem I was a silent spectator; none of the witnesses impute to me a single observation. Now is this probable? I had always got a great deal to say for myself, consequently I was not the person who would stand by without uttering a word; and yet such has been the testimony of Adams. Then, with regard to the blunderbuss, I have already explained that this was not mine, and that I acted in that affair entirely as the agent of Edwards. I have also declared how I came by the sword, and I now declare upon my soul, which will shortly appear before its maker, that I never made any blow at any man, or discharged any carbine. As for Monday, the man who swore that I had a long sword, with a pair of pistols in my girdle, who is he? He is a poor laboring man who comes here for his day's pay and his victuals, to swear away the life of a fellow creature, and to support the unfounded charge against me, that I meant to assassinate his majesty's ministers. I appeal to any man, whether it is upon such evidence the life of an innocent man is to be sacrificed? But even supposing, for the sake of argument, that the lives of his majesty's ministers were threatened, it did not follow that this was to extend to the king himself. In a passage of Magna Charta, it was ordained that twenty-five barons should be nominated to see that the terms of the charter were not infringed; and if it was found that his majesty's ministers were guilty of such infringement, then four barons were to call upon them for redress. If this were not granted, then the four barons were to return to their brethren, by whom the people were to be called together to take up arms, and assert their rights. Such an act was not considered in old times as an act of treason towards the king, however hostile it might be towards his ministers. But this does not apply to me. I had no intention of joining in any scheme whatever, either to put down my king, or to murder his ministers. I was entrapped by Goldworthy and Edwards, in order for some private purposes of their own, that they might have my life sworn away. I have no objection to tender my life in the service of my country; but let me at least, for the sake of my children, save my character from the disgrace of dying a traitor. For my children only do I feel, and when I think of them I am deprived of utterance—I can say no more."

James Ings was next asked what he had to say why he should not receive judgment to die? He replied: "I have very little to say. My abilities will not allow me to speak. If Mr. Edwards had not got acquainted with me I should not be here; he came to me, unfortunately, when I had no business, nor no means of getting a living, for my family. I entered into the conspiracy only through him, and it was only necessity and the want of the means to support my wife and family that brought me here. It is only through Edwards that I shall lose my life. I do not mind dying, if you will let that man come forward, and die with me on the scaffold. It was through him that I was going to do that which, I must allow, was of a most disgrace-

ful and inhuman nature. On the other hand, his majesty's ministers conspire together and impose laws to starve me and my family and fellow-countrymen: and if I was going to assassinate these ministers, I do not see that it is so bad as starvation, in my opinion, my lord."

Here Mr. Shelton began to address Brunt, but Ings said: "I am not done. And there is another thing, my Lord; a meeting was called at Manchester, under the protection of the law of England, for which our forefathers died, and which king John signed in the open air. This meeting was called under the protection of that law, for the people to petition parliament to give them their rights; but, previous to the business of the meeting, the Manchester yeomanry rode in among them, and cut down men, women and children, in a manner that was a disgrace to the very name of Englishmen. These yeomen had their swords ground before hand, and I had a sword ground also, but I do not see any harm in that. I shall suffer, no doubt; but I hope my children will live to see justice done to their bleeding country. I would rather die like a man than live like a slave. I am sorry I have not the power, gentlemen, to say more; I shall therefore withdraw."

John Thomas Brunt was next called upon, and spoke as follows:—"My lords and gentlemen, I am precluded from saying much: I had intended to have committed my defence to writing, but I have been denied pen, ink, and paper—as such, what I have to state will be very short. In the first place, whatever impression I made on the jury yesterday was knocked down by the solicitor general, who appears to me, by his sophistical eloquence to be capable of making the worst of crimes appear a virtue. And next, with regard to Edwards, to whom I alluded before, and to whose machinations I have at last fallen a dupe; he once before nearly entrapped me when a cabinet dinner was given, I believe at the earl of Westmoreland's. He said he had part of the men arrested, but there was not sufficient. He had liked to have hooked me in then, but I happened not to go to the house. No doubt that Hiden was in that plot for me; it was held at the Scotch Arms. Of all the infamous characters on earth, Edwards is the worst; and yet he has been kept altogether out of the view of the court. I protest against the verdict which has been pronounced against me. For my life, if it was sacrificed in the cause of liberty, I care not a farthing; but it is galling to have it sworn away by a set of villains who thirst after blood merely for the sake of personal gain. Edwards is far more worthy of punishment than any of us. He it was that furnished the arms—and he it was that goaded us on to our own ruin. He always spoke well of me, and said if he had a hundred such men as me he would be satisfied. He knew I was not a shuttle cock to be bandied about at pleasure. He knew he could put confidence in my word, and that I would perish before I shrunk from what I undertook. The prisoner then went on in a strain of strong invective against the witness Adams.—After which he referred to the two Monuments. These two persons had been described by the solicitor general, as having had no communication with each other, and yet having agreed in all respects in their testimony. Was this the fact? No, for three weeks previous to the trials, they met twice a day at the Tower, rehearsed their story, and thus were enabled to come forward quite perfect in their respective parts. He next adverted to the character of his apprentice Hale, and was casting strong reflections on his conduct—when

The chief justice said, he could not suffer such observations to be made under such circumstances.

Brunt begged pardon, but said he stated nothing but facts. He next adverted to the conduct of lords Castlereagh and Sidmouth; they, he said, had been the cause of the death of millions, and although he admitted he had conspired to put such men out of the world, still he did not think that amounted to high treason. He was one of those who would have been satisfied with taking off the cabinet ministers; but the verdict against him, of intending to depose his majesty, he contended, was utterly at variance with truth and justice. He had never contemplated any such consequence. He was neither a traitor to his king nor to his country; nor would he suffer any man in his presence to speak irreverently of his sovereign. In undertaking to kill lord Castlereagh and lord Sidmouth, and their fellow ministers he did not expect to save his life—he was determined to die a martyr in his country's cause, and to avenge the innocent blood shed at Manchester.

In conclusion he said he was willing to suffer for the acts which he had contemplated; but it grieved him to think that he was to suffer for a crime of which he was innocent, namely, high treason. On these grounds he protested against the verdict of the jury as contrary to law and justice."

The prisoner spoke with great vehemence, and used throughout the most inflammatory language.

Richard Fidd, was the next called upon. He spoke as follows: "My lords and gentlemen, being only found guilty so late last night, I have not had an opportunity to make up any defence. All I can say, is, and I positively swear it, that the evidence that has come before you, with the exception of that of capt. Fitzclarence, is utterly false."

James Wilson, said, "I am not gifted with the power of talking much, but I mean to say that I was certainly drawn into this by Edwards."

John Harrison.—"I likewise say I was brought into it by Edwards."

John Shaw Strange.—"I have this much to say to the evidence of Mr. Brunt's apprentice, likewise that of Adams, I declare solemnly to God they are both perjured villains."

James Gilchrist.—"What I shall say in the presence of my God and you, is, that till the Wednesday evening at four o'clock I knew nothing about this business. I was going to look for work, and I had neither money nor bread. So I went to what I was told was to be a supper of the radicals. (Here the prisoner was overcome by his feelings.) At 6 o'clock, I met C. Cooper, who was the only man I knew, and I borrowed a halfpenny of him, which, with another, enabled me to get a pennyworth of bread, and this I eat very sweet. I wish I may never come out of this place, if I tell false. We then went into the stable and up stairs, where there was some bread and cheese. I took an old sword and hewed down the loaf, of which others who were as hungry as me partook. I then asked what all these arms were about, and when I heard, I was so shocked that I determined to get away as fast as I could. Soon after the officers and soldiers came, and I thought it my duty to surrender. I now stand here convicted of high treason, after I served my king and country for twelve years, and this is the recompense. Oh God!—I have nothing more to say."

Here the prisoner stood back in an agony of tears. He is a Scotchman, and spoke with his native accent. His manner altogether was extremely

impressive, and his language seemed to be that of simple truth.

Charles Cooper said he had much to say, but his friends thought it would be imprudent. He could only declare that he was not guilty of the crime imputed to him.

Gilchrist again came forward, and said he was very willing to give up his life, if it could save that of a fellow creature. He had already tendered it to save one of the poor men by his side. He never thought of such a thing as to take any man's life.

The cry of the court now proclaimed silence in the usual manner, while sentence of death was passing upon the prisoners—

The lord chief justice then proceeded to address the prisoners severally by their respective names, making a distinction between those who had withdrawn their plea of "not guilty" and pleaded "guilty," and those who had been convicted by juries of their country. If any of them should ultimately have their lives spared, which he trusted would be the case, he hoped they would always bear in mind that they owed that life to the benignity and merciful disposition of their sovereign, aided and seconded also by the merciful dispositions of those very persons upon whom they had contemplated the foul crime of assassination. One of them, Arthur Thistlewood, had upon his trial proposed to call certain witnesses, whom the court had refused to hear. This refusal was according to the due course of justice, as it was administered in this country. The witnesses whom he proposed to call, were for the purpose of impugning the testimony of a man of the name of Dwyer, and no other. His learned counsel had previously called witnesses to the same effect. It could not be allowed to him according to the ordinary course of proceeding to do more. Indeed, even if he had had been allowed so to do, it could have been productive of no advantage, because his case did not depend upon the evidence of that witness alone. This observation was confirmed by the fact, that in subsequent cases, where the evidence of Dwyer was altogether omitted, a similar verdict of guilty was returned. Some of them had thought fit to say much of the character of a person who had not appeared as a witness upon this occasion. The court could proceed only upon the evidence which was brought before it.—Of the person, therefore, to whom they alluded, or of the practice of which they had been guilty, they could have no knowledge. Upon the testimony, however, which had been adduced against them, there was abundantly sufficient to induce a jury of their country to come to a conclusion that the whole of them had taken an active part in the crimes imputed in the indictment. From all that had appeared in the course of these trials, as well as from much of that which they had then heard, it was plain to see, that they did not embark in their wicked designs until they had first suffered their minds to be corrupted and inflamed by those seditious and irreligious publications, with which, unhappily for this country, the press had too long teemed. He did not make these remarks to aggravate their guilt or to enhance the sufferings of persons in their situation. He made them as a warning to all who might hear of their unfortunate fate, that they might benefit by their example, and avoid those dangerous instruments of sedition, by which their hearts and minds were inflamed, and by which they were drawn from every feeling of morality—from every sense of obligation towards their Creator, and of justice towards society. The treason of which, they were charged and found guilty, was that of

compassing and imagining to levy war against his majesty; for the purpose of inducing him to change his measures and ministers; the first step towards affecting which, was the assassination of the cabinet ministers. They had endeavored now to complain of the testimony of those persons who had been examined as witnesses on the part of the prosecution. Some of them were accomplices in their guilt. It had here happened, as it had upon other occasions, that the principal instruments in the hands of justice, were the partners of their wickedness; and he trusted that circumstance would have its due weight and consideration with all those who became acquainted with their situation, and with the circumstances of their trial. He hoped, for the sake of their own personal safety, if they could not be restrained by any other consideration, that they would abstain from evil communications, and from evil connexions, such as had brought the prisoners to the unhappy position in which they stood.—Some of them had avowed their intention to have taken away the lives, and to have steeped their hands in the blood of fourteen persons, to many of them unknown—a crime of a character so black, that it was hitherto without parallel in the history of this country, and he hoped it would remain unparalleled hereafter. (His lordship here seemed considerably agitated.) It now, he said, only remained for him to pass upon them the awful sentence of the law; but before he did so, he exhorted them, he implored them, to employ the time yet left to them in this life, in endeavoring, by prayer, to obtain mercy from that Almighty Power, before whom they would shortly appear. The mercy of Heaven might be obtained by all those who would unfeignedly and with humility express contrition for their offences, and seek that mercy through the merits of their blessed Redeemer.

His lordship having once more solemnly exhorted the prisoners to repentance, pronounced the sentence of the law in the following words:—

“That you, and each of you, be taken from hence to the goal from whence you last came, and from thence that you be drawn upon a hurdle to a place of execution, and be there hanged by the neck until you be dead; and that afterwards your heads shall be severed from your bodies, and your bodies be divided into four quarters, to be disposed of as his majesty shall think fit. And may God of his infinite goodness have mercy upon your souls!”

The crier said aloud, “Amen!” in which he was joined by many in the court, who were deeply affected by his lordship's impressive address.

The prisoners were then removed from the bar. They did not seem much affected, but departed with great firmness and resignation. Tidd complained of the weight of his irons.

The chief justice said, he was sure the gaoler would grant him every indulgence consistent with his safety.

Legislature of Connecticut.

GOVERNOR'S SPEECH.

The legislature of Connecticut recently met for the first time, under their new constitution, at New-Haven. David Plant was chosen speaker, Amel Sterling, clerk, and Nathan Johnson, assistant clerk. The house being organized, his excellency governor Wolcott was escorted to the court-house, where he delivered the following speech:

I am happy in being able to inform you, on the present occasion, when we are again convened to deliberate on the concerns of our constituents, that

tranquility is prevailing throughout this state, and in every part of our extensive country; that confidence in the justice and generosity of our public counsels, appears to be increasing among the nations of the earth; and that the dangerous collisions which menaced an interruption of our peace, will probably be averted by amicable discussions, conducted with moderation and a spirit of equity. These are sure indications of the happy influence of free and mild institutions of government, over a virtuous and intelligent population; and the blessings they procure demand our gratitude to the Merciful Disposer of all events.

Owing to the stagnation of commerce, and to former abuses of credit, form the effects of which our country has not yet recovered, the pecuniary pressure upon the community continues to be severe and is still greatly injurious to the public interests; but I believe that the people of no part of the United States, or of the world, enjoy greater comfort and prosperity, than those of Connecticut. This comparative exemption from the common evil of the present period, ought, doubtless, to be attributed to their frugal habits, persevering industry, and to the general diffusion of those arts most necessary to the enjoyment of civilized life, which have rendered them, in a very considerable degree, independent of supplies derived from external commerce. As far as my information extends, the people of this country have become generally convinced that the remedies for our present embarrassments, can alone be expected from improvements in agriculture, a wise direction of the public industry, and from the extension of arts and manufactures, aided by restraints on the consumption or use of those superfluous or noxious articles of foreign growth or manufacture, which exhausted the resources of the country, and depress the exertions of domestic enterprise. We must still await the measures which may be devised by the national government for our relief, to which the general regulation of the currency, of foreign commerce, and provisions for a just distribution of the effects of bankrupt traders, have been assigned by the constitution; but much can be done by the several states, by wise fiscal regulations, and by precepts and examples, co-operating with the patriotic exertions of all good citizens.

Incessant vigilance, and great caution, are duties at all times incumbent on the legislators of free states, and are especially requisite at present, in consequence of the disturbed condition of several countries, with which we are principally connected, where the recent course of events appears to be unfavorable to principles of liberty. The expediency of preserving our municipal regulations and militia establishments in full vigor, is therefore apparent.

In addition to the ordinary business of the session, I think it proper to mention that the appointment of electors of president and vice president of the United States, must, in pursuance of an act of congress, be made within thirty-four days preceding the first Wednesday of December next. If no provision different from the existing law of this state shall be made during the present session, an extra meeting of the general assembly will be necessary. In connexion with this subject, the appointment of a senator of the United States, to supply the place of the hon. Samuel W. Dana, whose term of service will expire on the third of March next, will deserve consideration.

I have received from the governor of the commonwealth of Massachusetts, a resolution of the general court of that state, representing that con-

tentions and disputes have arisen between the citizens of that commonwealth and those of this state, respecting the boundary line between the two states east of Connecticut river, and appointing commissioners to ascertain the same—in which measure the concurrence of this state is requested.

The states of Pennsylvania, and of Ohio, have proposed an amendment to the constitution of the United States, for the purpose of restraining congress from establishing any bank, or other monied institution, except within the district of Columbia. These papers will be communicated by a special message.

I have received, for the purpose of being submitted to your consideration, certain declarations of the commonwealth of Virginia, which deny the legitimate right of congress to inhibit slavery, as a condition of admitting a new state into the union, or to impose any other restriction, not necessary to guarantee a republican form of government.

Preliminary measures have been adopted, for admitting the territory of Missouri a member of the United States, on terms which will doubtless be acceptable to Virginia, but accompanied with a declaration by congress, that (with the exception of the proposed new state) slavery shall forever remain interdicted in all the territory of the United States, north of thirty-six degrees and thirty minutes of north latitude, thereby asserting a principle, the validity of which is denied by the state of Virginia.

Although the opinion of this ancient and respectable state, is not offered in the form of an amendment to the constitution; nor as the basis of a proposed contract, which, if ratified by particular states, would require the assent of congress, yet an equivalent effect has been probably expected, from the assent of a majority of the states, to the principles and reasoning to which that state appears to have become reconciled, and upon which their resolutions have been founded.

Although the present occasion does not afford a convenient opportunity for a full enquiry how far the doctrine now promulgated is consistent with a fundamental principle, which have been adopted a great majority of this nation, as political axioms never to be disputed; nor to any review of the consequences, which either confidence or diffidence in former councils of the same authority, have produced in the actual administration of the government; and though it is still less suitable to an examination of the philological interpretation of the constitution to which your attention has been invited, yet as the decision of this question must powerfully influence the condition of society in all future ages, and as every freeman ought to form a decided opinion upon this subject, I cannot forbear to present to your view some of the consequences which, in my opinion, must follow from the extension or diffusion of slavery in these states.

It cannot have escaped your observation, that a diversity of habits and principles of government exists in this country; and I think it is evident that slavery is gradually forming those distinctions, which, according to invariable laws of human action, constitute the characteristic difference between aristocratical and democratical republics.

Wherever agricultural labor is wholly or chiefly performed by slaves, it must constitute the principal revenue of the community. The owners of slaves must necessarily be the chief owners of the soil; and those laborers who are too poor to own both, though nominally free, must be dependent on an aristocratical order, and remain without power or political influence in this state.

All our experience illustrates the truth of these remarks. Connecticut has long been among the first of the colonizing states. The soil, climate, and price of lands in Maryland and Virginia, are highly inviting to our agricultural emigrants, yet they are almost invariably seen to prefer settlements in more remote and comparatively inconvenient situations. They are only deterred from settling in these states by the vicinity of a slave population, and by incidental institutions, which would require a renunciation of their habits and the political privileges which they have been accustomed to enjoy, and to which they are inviolably attached.

The territorial limits of the states where slavery is permitted, are already far more extensive, and their lands probably more fertile, than in those where it is interdicted. Slavery is unfavorable to a compact population, and to improvements in the arts; and the mode of cultivation usually practised, tends to promote a rapid expansion of new settlements, greatly exceeding a just proportion of the comparative masses of population. An immense territory, west of the Mississippi, either belongs to the aboriginal tribes of Indians, or is sparsely settled by the subjects of Spain, where slavery is already established; and much of this territory will, doubtless, be annexed to our nation by amicable arrangements, and the natural progress of civilization.

It has been urged as a compensation for the admitted evils of slavery, that the spirit of liberty is more elevated and persevering among the masters of slaves, than in states where liberty is a common blessing. We may admit that our southern brethren are as firmly attached to liberty as ourselves, but we cannot concede that they are, in any respect, our superiors, without submitting to humiliation and reproach. Probably, the claim has no other just foundation, than in the well known ardor, tenacity of opinion, and strict concert of action, with which the members of a privileged order invariably pursue a separate and exclusive interest. Even a tacit admission of inferiority, from habitual concessions, would imply, on our part, a secret preference of aristocratical over democratical institutions, since the experience of every age has evinced that, when the privileges of a ruling order are founded on the transitory possession of wealth, however acquired, they are never exercised with moderation or justice, than when they depend on hereditary distinctions of rank.

We are clearly bound, by our federal engagements, not to attempt to effect any change in the adjusted relations of society, in the states where slavery has been already established. But as the bare permission of slavery in a new state, would be a concession tending to disturb the natural equality which would otherwise exist between the states, and also between all free citizens, it would seem to be far more reasonable, even on the principle of that strict and literal construction of the delegated powers of congress, for which Virginia contends, to require in the constitution an express authority to tolerate the extension of slavery, rather than from the mere absence of any express direction to that effect, to infer the want of power to prohibit such extension in derogation of the fundamental rights and principles, which it was clearly the great object of the constitution to secure and perpetuate.

But, in my opinion, the invaluable compact between the people, the states and the federal government, not only forbids the exercise of some powers, but is imperative in requiring the performance of certain duties—and may as effectually be

violated by mere negligence and non-execution, as by the usurpation of powers not delegated, or reserved to the states or to the people. Among these, the guarantee of a republican form of government is of vital importance. It is a contract between the United States and the people of every state, designed to protect the great principles of the revolution, upon which our union depends. It imposes upon congress, not merely deliberative but active duties; not merely a vigilant attention to the elementary principles of government, and the composition of society in the new states which may, from time to time be admitted members; but also vests a conservative power over all the states, to secure their original principles from subversion by force, or from gradual decay; not only to guard the states against the enterprizes of monarchical authority, which are the most oppressive to the rich and powerful, but to protect the people against the masked-batteries of aristocracy, which ought equally to be dreaded by the poor and defenceless. It was not to establish republics in "form" only, but to perpetuate our free and mild institutions, and to render civil liberty immortal, that the constitution was adopted.—Nothing has been more common than the perversion of republican forms, and it has been by such means that the liberties of free states have been most frequently undermined. Even the government of the Mamelukes has long been acknowledged and constantly styled a republic. They have, for about four hundred years, formed their own regulations, and elected their chiefs, with the right of suspending their power at will. No men have been more jealous than they of any diminution of the privileges of their order, or more fiercely attached to popular forms. They have been masters over a fertile and extensive country; they have been numerous, warlike and powerful; yet they have ever been, in fact, a confederacy of slaves, and their misnamed republican freedom, has been displayed only in acts of cruelty, extortion and tyranny over the defenceless natives of Egypt.

I regret that the discussion of this subject, by the states, has become necessary. In my judgment it would have been more prudent to have left a question of such delicacy and importance to the uninfluenced decision of congress. But, as it has been proposed by the general assembly of Virginia, a prompt and frank declaration of our sentiments is required, no less by decorum than by a just regard to the rights of our constituents. On the grounds which have been briefly stated, I am compelled, by a sense of duty, to declare it as my opinion, that congress is fully authorised to inhibit the further diffusion of slavery; and that, to permit it to be established in the territories or districts which have been, or may hereafter be acquired, would, in effect, operate as an indefinite suspension, if not a perpetual exclusion of the rights which appertain to the agriculturalists of the United States, and tending also to create an influence injurious to the states where slavery is interdicted.

OLIVER WOLCOTT.

General assembly, May session, 1820.

REPORT ON THE VIRGINIA DECLARATIONS.

The committee to whom was referred so much of his excellency the governor's speech, as relates to certain declarations of the commonwealth of Virginia.—REPORT:

That, although they do not discover in the constitution of the United States, any article authorising the legislature of the different states to define, limit, or control the powers of congress, much

less to overawe the deliberations of that body, yet, as congress has exercised the power of prohibiting slavery north of 36½ degrees of north latitude, we approve of the act, as constitutional.

Involuntary servitude is universally admitted to be a reproach upon our republican institutions; and its existence in this country has been a subject of regret with the wise and good, in every part of the union. An attempt, from any quarter, to extend the influence of this evil, cannot be viewed with unconcern—more especially as it is evident that slavery is gradually forming those distinctions which, according to the invariable laws of human action, constitute the characteristic difference between aristocratical and democratical republics."

Congress not only have the power, but it is their duty, under the constitution, in forming new states, not only to secure to them the *form* of a republican government, but provision should be made, to secure to the people of every new state, equal rights and privileges, and at the same time to preserve in the existing states, such a proportion of power and influence as is guaranteed them by the national compact.

Self-preservation requires that no power should be granted, which would endanger the *general welfare*: On subjects of this kind, congress is the constituted authority to decide—that being the organized representation of the union, and exclusively entrusted with the care of its concerns. The committee are aware that the commonwealth of Virginia, from the power and influence which she has maintained in the union, and the interest which her statesmen have heretofore taken in the great principles of civil liberty, upon which are founded the constitutions of the states, is entitled, in all her communications, to the highest consideration; and it is with no small concern and surprise, that your committee discover, in the communication now submitted by that commonwealth to the general assembly of Connecticut, for her co-operation, an apparent disposition to sectional aggrandizement, by the continuance and extension of an evil too gross to be named in the constitution, and which has ever been considered by her best and ablest statesmen, as alike inconsistent with her own professions, and the principles of our government.

Your committee have given as much attention to the communication submitted to them, as the duties of the session would allow; but they cannot, in any view of the subject which they have been enabled to take, unite with the general assembly of Virginia, in the opinion expressed in the declarations of that assembly; nor in the measures therein proposed, to give them effect.

The questions, to which these resolutions allude, have been settled by the competent authority; and while your committee refrain from discussing a question, which has so greatly agitated the national councils, they cannot but regret to find, in so distinguished a member of the union, an attempt to take from congress, by a combined influence, a power clearly inferable from the provisions of the constitution, and essential to the preservation of equality in the states, and the acknowledged principles of civil liberty.

Per order,

ELIAS PERKINS.

Resolved, by this assembly, that the preceding report be accepted and approved—and that the governor of this state be requested to transmit a copy thereof, and of this resolution, to the governor of the commonwealth of Virginia, as the reply of this assembly to the preamble and resolutions of the general

ral assembly of Virginia, communicated to this assembly by the governor of this state, at the opening of the present session.

In Senate, May Session, 1820.

Passed—Attest,

WM. W. BOARDMAN, Clerk.

In the House of Representatives:

Passed—Attest,

A. STERLING, Clerk.

Most excellent law of Kentucky.

The following truly wise law of Kentucky may redeem this state of its present ills, brought about by its litter of banks, in a few years, if the people are industrious and economical.

An act to repeal the act entitled "an act to establish independent banks in this commonwealth," and an act supplementary thereto.

Whereas, in the tenth article of the constitution of Kentucky, it is declared—first, that all freemen when they form a social compact are equal, and that no man or set of men, are entitled to exclusive, separate public emoluments or privileges from the community, but in consideration of public services; and secondly, that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness: And

Whereas, it is self evident, according to those fundamental principles of government, that all laws which grant, to a few, the power to oppress the many, are tyrannical in their nature, and adverse to the primitive rights of the people—and therefore repealable by the supreme authority: To say that a sale of the primitive rights of the people, by the legislature, is to be perpetual and unalterable, because there is a contract in the case, is to declare that error and abuse of power may consecrate themselves. Fraud vitiates all contracts: To effect the intention of the parties is the object of all laws regarding contracts: That a privilege granted, shall be used for the destruction, or even to the disadvantage of those who granted, never could be the intention of the parties. All legislative power is derivative; proceeds from the people, and is to be used for their prosperity and happiness only; consequently, all laws of a contrary tendency, violate the intention of the social compact; and are subject upon first principles, to the condition of being repealed, whether the evil spring from the nature of the privilege granted, or contract entered into, or from the abuse of either. A bank charter, from its nature, extends, and necessarily confines the powers and privileges granted to the few, to the exclusion of the many. It therefore follows, as an unavoidable conclusion, that if the powers and privileges, granted in a bank charter, operate against the public good, the people by their legislature, have the primitive right to revoke such charter. *To the end therefore, that the good people of this state be delivered in future from the baneful effects of the power and privileges granted by the laws establishing independent banks in this commonwealth, which have been exercised in many instances in the plenitude of tyranny, oppression, and abuse, to the great injury of the good people of this state:—*

Sect. 1. *Be it enacted by the general assembly of the commonwealth of Kentucky,* That all power, right or privilege, granted to the corporations established by an act entitled "an act establishing inde-

pendent banks in this commonwealth," approved January twentieth, one thousand eight hundred and eighteen, and an act entitled "an act supplemental to the act establishing independent banks in this commonwealth," approved February third, one thousand eight hundred and eighteen, to deal and trade in discounts, bills of exchange, or current money, or to issue notes or bills of credit, payable to bearer or otherwise, shall be, and the same are hereby repealed and revoked from and after the first day of May next, and all other power, rights and privileges granted to said corporations in said recited acts, are hereby repealed and revoked, from and after the first day of January, one thousand eight hundred and twenty three.

Sec. 2. *Be it further enacted,* That any person or persons, who may act as president, director or other officer, of any independent bank in this state, contrary to the provisions of this act, shall be subject to all the penalties, fines and forfeitures imposed by an act to suppress private associations for the purpose of banking, approved February eighth, one thousand eight hundred and twelve, which penalties, fines and forfeitures may, and shall be imposed, recovered, collected and distributed according to the provisions of the said recited last act.

Sec. 3. *Be it further enacted,* That the bonds required from the independent banks for the privilege of banking for the year one thousand eight hundred and twenty, shall be and the same is hereby repealed.

Sec. 4. *Be it further enacted,* That so much of the act to incorporate Sanders' manufacturing company, which passed the 31st day of January, one thousand eight hundred and eighteen, and the supplemental act thereto, approved February the third, one thousand eight hundred and eighteen, which gives the said company banking privileges, shall be, and the same is hereby repealed; and the second section of this act is hereby made applicable to the persons who may have the management of the said manufacturing institution.

The following were the yeas and nays on the passage of the preceding act—

In the house of representatives.

YEAS—Messrs. Allen, Barrett, Barton, Baylor, Booker, Boyd, J. Breathitt, Butler, Chilton, Churchill, Clarke, Cockeril, Coleman, Cunningham, Davis, Daniel, Dougherty, Duncan (of Daviess,) Duncan (of Lincoln,) W. Emmerson, Forrest, Gerard, Goode, Gray, B. Harrison, Hays, Howard, Hughes, Kincaid, King, Lecompte, Lewis, Little, Lyne, Mayo, Miller, T. P. Moore, T. R. Moore, M^rRoberts, O'Bannon, Oglesby, Oldham, Rudd, Scott, W. Smith, Stephens, Stephenson, Waring, White, Williams and Worthington—51.

NAYS—Mr. Speaker, [Hardin.] Messrs. C. Breathitt, Cooper, Cox, J. Emerson, Fleming, Gordon, Green, Grundy, Lee, Long, M^rAfee, M^rClelland, Payne, Porter, Prather, Sanders, Sandford, Selby, Spillman, R. Taylor, Thomas, Turney, Underwood, M. Wickliffe and Yantis—27.

In the senate.

YEAS—Mr. Speaker, [Blackburn] Messrs. Bledsoe, Crutcher, Dollerhide, Ewing, Ford, Given, Hardin, Hickman, Johnson, Jones, Lackey, Pickett, Slaughter, Thomson, White, Wood and Yancy—18.

NAYS—Messrs. Barry, Bridges, Davidge, Davidson, Eve, Faulkner, Harrison, Johnson, Mason, Owens, Perrin, Pope, Roper, Southgate and Worthington—15.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The tariff bill, &c. Without entering upon the subject at large—and, perhaps, without giving to it that fullness of consideration which its importance deserves, we now rather incline to a belief that the postponement of the tariff bill by the senate of the United States, has rendered a permanent benefit to the country! "Blessed is he who findeth consolation," or, out of evil bringeth good! Our reasons, for what some will suppose to be a strange doctrine, are as follows:—

1. The extreme pecuniary pressure on the people is very rapidly curtailing the importation and consumption of foreign goods, and bringing about a *home trade* of incalculable advantage to the country, by rendering the importation of such goods less and less necessary. One man gives his labor to another for wheat, a second barter wheat for cloth, a third gives cloth for shoes, hats, &c. As money has retired from circulation for the want of employ, the people have returned to the original principles of business; and it may safely be said, that the *bartering* of one commodity for another has increased not less than *twenty fold* within the last two or three years. The farmer oftentimes finds that he can better afford to pay the blacksmith two dollars for certain agricultural utensils, if the latter will take wheat for his labor at a fair price—than send the wheat to market and sell it for money, and then pay one dollar for such utensils. And all are more and more convinced of the interesting truth, that it is the facility of payment, instead of the amount paid, that fixes the value of a commodity to the consumer.

2. These habits, once established by necessity, will be continued from choice; but they *cannot* be abandoned while there is no foreign demand for our products, and the average worth of wheat in the United States is not more than fifty cents per bushel to the growers of the grain; and the carriage of a barrel of flour to market costs the half of what it sells for there.

3. In consequence of these things, the revenue of the United States, now derived from duties on goods imported, will fail. We are about to borrow several millions of dollars to meet the *current* expenditures of the present year; we shall have to borrow more to satisfy those of the next, and still a greater amount, in all probability, for those of the year thereafter—and so on; unless the people of Europe, instead of attending to their farms and manufactories, get to killing one another—or, we adopt a different policy for ourselves and revert to direct taxes or an excise.

4. Because, though this result is the inevitable consequence of mistaken means for raising a revenue and of prodigality in its expenditure—it would have been *charitably* attributed to the tariff bill, if it had passed into a law—"Seeing is believing, but

feeling has no fellow." When the people and their government alike *feel* pecuniary difficulty, efficient measures will be resorted to to relieve it, and taxation and representation will go hand in hand. "Those who dance should pay the piper."

We have no gratification in the prospect before us—few persons are more severely affected by "*hard times*" than we are, and every man is presumed to pursue his own interest. We predicted what has already happened and that which is about to come to pass, several years ago—and reiterate our conviction, that nothing else within our controul will render this country prosperous, but a well devised system of laws to protect domestic industry and secure a home market.

☞ We now have the pleasure to present our readers with Mr. Baldwin's speech on the bill reported by him, as chairman of the committee of manufactures, to provide for the prompt payment of duties on certain articles imported—which ought to be read by every person interested on either side of the great question which the bill was intended to bear upon.

The history of our laws for the regulation and protection of commerce, with Mr. Baldwin's exhibition of the effects of a credit for duties, in opposition to the practice of all other commercial nations, are exceedingly important and will cause many who have *talked* much to *think* a little.

He has most severely whipped, "even unto death," the senseless cry of "LET US ALONE," whenever any thing is proposed to be done for domestic industry, as applied to manufactures; by shewing that *commerce*, the favorite child of government, is the creature of *regulation*; and that law upon law has been passed directly for its *protection* against the enterprise of foreigners. Many years ago, just after the Hartford convention was dissolved in *all its glory*, I said that, without the aid of government in favor of our shipping interest, we might soon have Dutch or other European vessels carrying on our *coasting trade*—and so we should now, except for the protection afforded to American bottoms. We have annexed below an article from the Richmond "*Enquirer*" about "*let us alone*," which presents a beautiful contrast with the facts that belong to the approved policy of the government, in respect of one branch of the national industry—to which we wish all prosperity, while we think that it has not an *exclusive* claim to our support.

We heartily recommend the speech to attention. Mr. Baldwin, before he took the floor, appears to have done what many speakers in congress neglect to do: that is, at least to have endeavored to *understand* what he himself meant to say!—and, in consequence, he has introduced a great body of facts in a very imposing form, and argued upon them in a masterly manner, so that, like "bread cast upon the waters, they will be found after many days." But our readers shall see what was said in opposition to them, as soon as we receive what we suppose to be the ablest reply to his remarks.

Just after the three bills reported by the committee consequences of high protecting duties, convince the government of the impolicy of *increasing* them."

* We see by a toast drank at Salem, Mass. at a dinner given to Mr. Silsbee, the representative of the district in congress, in approbation of his opposition to the tariff, &c. that some attribute the present reduced amount of importations to the operation of the existing tariff!—The toast alluded to is in these words—"The deficit in the public revenue and the loan of three millions.—May the *present* Vol. XVIII.—22.

tee of manufactures had failed in congress—the auction bill in consequence of the senate's postponement of that for regulating the tariff, the following editorial article appeared in the "Enquirer." We now insert it as well for a matter of record, as by way of contrast and curiosity:

"*Let us alone.* The whole of Mr. Baldwin's brood has finally passed to "the tomb of the Capulets." The *cash duty bill* was strangled in the house of representatives. The tariff has early received the *coup de grace* in the senate. The poor *auction bill*, after having been bandied about the representative chamber, is ultimately kicked out of doors. Joy go with them! A system more utterly at war with the clearest principles of the age, better calculated to tax the leading interests of the country for the benefit of a subordinate and privileged order, and to place two classes of the community at the feet of a third, was scarcely ever conceived in the dark days of feudal restriction. *Let us alone.* Government is at best a rude, unwieldy, and bungling machine; it is "an evil though a necessary evil;" it is one to which it is essential to set limits, and to say to it, "thus far shalt thou go, and no farther." Confine yourself to the objects for which you were instituted; assume no more power than is necessary to these objects; and invade as little as possible the liberty of the people. *Let conscience be free;* leave *opinion* to itself, let the *pursuits of industry* be as free as possible. Men who depart from these principles are enthusiasts or empirics. There has been much idle talk on this measure. A bounty on manufactures would not have relieved the distresses of the times. There is a *vis medicatrix* in a free society which will work out its cure. The times are "out of joint"—but leave them to themselves. Let us not die of the doctor—but leave nature to herself.

"We congratulate our fellow citizens on the destruction of the tariff bill. We thank the senate for the early and manly stand which they have taken against it. Let ignorance, let disappointed interest, or factious ambition, clamor as much as they will at the catastrophe; the enlightened friends of the country will thank them for their determination. We have not met with a single citizen, however humble or however high, who does not sincerely thank them for their vote!"

"*Let us alone,*" indeed!—Why, it is very probable, at this time, that the whole profits of our commerce do not amount to as much as the outfit and pay of our ministers and agents sent abroad to guard its interests! Certainly, not to as much as the support of the squadron kept up in the Mediterranean, to protect it against the Barbary powers! But it is not our design just now to complain of these things.

Colony of free blacks in Africa. We have seen a great many papers relative to the colony now forming in the Sherbro country, on the coast of Africa, about eighty miles south of Sierra Leone, under the patronage of the American colonization society, as an asylum for such of our free blacks as are willing to return to the country of their ancestors.

It appears highly probable that a colony will be settled by which the happiness of such emigrants may be eminently promoted; nay, it may become a strong and powerful settlement; and, so far as it relieves us of this species of our population, it may render a political good. Yet all that we can do in this way, will be only as a drop in the bucket; but may it not be a detriment to us, by chiefly

sending away the most considerate and enlightened free blacks, whose example and precept is so useful to their less informed or less virtuous brethren? Every feeling of my heart is devoted to the object of the colonization society; but feeling convinced that their efforts will amount to nothing, as to the accomplishment of that object—a relief to the U. States of a persecuted and proscribed people, held in duration vile by the hand of power, or kept at an awful distance by the force of prejudice on account of their color—and to whom an incorporation into the body of our society seems forever denied, by reason of that prejudice, which every man feels and acts upon—no matter how high his professions of philanthropy and so forth. The greatest [white] friend of emancipation that we have, would be unwilling that his daughter should marry a black man, though that man were a "pattern of piety," and even possessed of what is thought much more of—a plenty of money.

About 80 persons constitute the advance of this project—they speak in fine terms of the kindness with which they have been treated, and of the country which has been selected for them, &c. All that was hoped for, as to this detachment, seems about to be realized; and, it is within the scope of possibilities, that in fifty or an hundred years hence, there may be a large nation in Africa, who shall look up to the United States as their parent, benefactor and protector! This will be good,—the work will be approved by the BENEVOLENT who delights in the happiness of his creatures, and so far it is well; but, although the emigration hence may build up such a nation, it will have no sensible effect on the amount of the black population that we have—whether we consider our slaves as articles of domestic traffic, or merely as men: for the product of commodities is much regulated by the demand, and population is always inclined to press upon the means of subsistence.

Piracies. Three persons have just suffered death at Boston for piracy and murder, committed in consequence of their having joined the "patriot" service, and several others are just taken up at Norfolk, Georgetown, Charleston, &c.—in all twenty or thirty men, charged with similar offences from similar causes! The case appears to be as follows:

The officers of the brig *General Rondeau*, under the flag of Buenos Ayres, were lately risen upon by the crew, who murdered some of them and sent the rest afloat in a boat, about twelve miles distant from the island of Grenada. New officers were then appointed, who shaped the brig's course to the United States. They arrived off the coast of North Carolina—when, having plundered the brig, they scuttled her and made their way to different parts of the neighboring country, laden with their ill-gotten wealth. Various suspicious circumstances caused their arrest, to end their lives on the gallows. It appears that not many of the crew of the Gen. Rondeau were Americans—most were British subjects. When is this miserable business—this wretched privateering-piracy, which so much corrupts the morals of sea-faring men and leads them into every excess, terminating so often in murder and punishment by the executioner, to end? The "patriot" service, as of late fitted for in some ports of the United States, is a disgrace to the country, but unhappily it has been so managed in general as to elude our laws intended for its suppression. The Gen. Rondeau, however, it should be observed, was last fitted at Buenos Ayres.

Since writing the preceding, we have the follow-

ing in a Norfolk paper of the 19th inst. "The Buenos Ayrean armed brig Wilson, capt. Wilson, cleared at Norfolk on Saturday last for Margareta. On Wednesday night last, while she was lying at anchor in the bite of Craney Island, 27 of her men got ashore by some means or other, and made their escape; the remainder, consisting of about a half dozen, together with the landlord who shipped them, were on Friday last arrested by the marshal of the U. S. for this district, under a warrant from Judge Tucker, and are now confined here in prison.

The 4th census of the U. S. The "National Intelligencer" contains the instructions, forms and papers furnished to the marshals of the United States, in pursuance of the act for that purpose, and published in the present volume of the REGISTER, page 120. They occupy about six of the heavy columns of the Intelligencer, and we have not time just now to offer an intelligible abstract of them—but shall do it next week. In the mean time, it may be well to remark, that if the instructions of the secretary of state are complied with, we shall have a body of facts of incalculable importance to act upon, and which, perhaps, will do more to direct an enlightened political economy than any set of documents ever before spread upon the tables of congress, or disseminated among the people of the United States. We have only to express our hope, that the marshals and their deputies may zealously second and support the project for obtaining a correct knowledge of things so interesting to the legislation of a free country, as will be furnished by a rigid adherence to these institutions.

Law cases. It is with much satisfaction observed that "Niles' Register" is frequently referred to by judges, in different parts of the United States, in giving their opinions on matters coming before them, on account of the law cases preserved in it. We have many very important opinions, not interesting only to gentlemen of the bar but to the public generally, which we expect to present to our readers during the present recess of congress, and as soon as we are relieved of certain documents and speeches laid off for insertion.

Prompt payment of certain Duties.

MR. BALDWIN'S SPEECH IN SUPPORT OF THE BILL REPORTED BY THE COMMITTEE OF MANUFACTURES.

In commencing its operations, our government justly deemed it of great importance to give every facility to the commerce of the country. There was then peace in Europe. Commerce was principally in the hands of two nations, whose capital was so abundant that, in Holland, it was said not to be a bad business for a merchant, by his labors and the employment of his money, to realize six per cent. In England, an unequivocal evidence of the extent of unemployed capital was, that their three per cent. stocks were in the market at 93 per centum. It was no part of the policy of these nations to give aids to commerce by affording credits at their custom houses, on the importation of goods; it was not necessary. In this country the case was different. The period which immediately succeeded the revolution was one of unexampled embarrassment, from which we were just recovering when the new government was organized. There was but little capital in the country. Its commerce was mostly carried on by foreigners, whose superior capital gave them great advantages in their competition with our citizens: it thus became ne-

cessary to divert trade from its accustomed channels, by every possible facility. Imposts were the principal source of revenue—merchants the agents to collect it from the people. Credits for the duties were allowed them, not only to give time to collect from consumers, but as a means of increasing their capital, by retaining and having the use of the money until their bonds became due. In 1789, the credit allowed on goods from the West Indies, was four months; on Madeira wines, twelve months; on all other goods, six months. In 1790, a credit was given on teas from China of twelve months. In 1795, the credit on goods from the West Indies was altered to three and six months; from Europe, to eight, ten and twelve months. In 1799, a general system was adopted: from the West Indies, half in three, half in six months; salt, nine months; wines, twelve months; from Europe, one third each in eight, ten and twelve months; other than from Europe, half in six, and one-fourth each in nine and twelve months; teas as other goods, or at the option of the importer, to be deposited and bonds given at two years, and to be sold for the duties if the bonds were not duly paid. In 1805, all importations from the eastern coast of America, north of the equator, were allowed the same credits as those from the West Indies. In 1818, the credit on such importations was extended to six and nine months; on those from other countries than Europe and the West Indies, (salt, wines and teas, excepted), to eight, ten and eighteen months, one third being payable at each of these periods. No alteration has since been made, so that the credits now are—On the duties on importations from the West Indies and north of the equator, (excepting Europe), half in six and half in nine months.

From Europe, one third in eight, one third in ten, and one third in twelve months.

From the East Indies, one third in eight, one third in ten, and one third in eighteen months.

Of wines, twelve months.

Of salt, nine months.

Of teas, one third in eight, one third in ten, and one third in twelve months; or, if deposited, twenty-four months.

While our commerce was struggling to compete with that of other nations, there were good reasons for allowing liberal credits on the duties; but when the French revolution threw the commerce of the world into our hands, when the capital of foreigners was employed by our merchants, the use of it being amply compensated by the protection of our flag, there would seem to have been no very powerful reasons for taxing consumers to create or enlarge the capital of merchants—for such is the immediate effect of custom house credits. It is understood to be the custom of merchants to calculate their profits on the aggregate cost of goods, including charges and duties. The amount of duties is, in effect, a loan from the government to the merchant, without interest, which becomes a part of his capital, and is as productive as the money he has actually remitted in payment for his goods. It would seem, then, to be as reasonable that he should furnish this, as that he should furnish the other portion of his capital. When the credit on the duties exceeds that allowed on sales to retailers, it affords to the importer the further advantage of the active use of the money which has been drawn from those who really pay the duties.

It would have seemed more consistent with general principles, if, in the infancy and during the hard struggle of our commerce, liberal credits had

been given, and they had been gradually diminished as there was less occasion for them. The reverse, however, has been our policy. Though, during the period of short credits, our commerce was constantly and rapidly increasing; and, not content with a fair division with other nations, was attaining a monopoly; yet the credits were extended in proportion as the real necessity for them diminished. Even so late as 1818, when our East India merchants had acquired vast wealth, abundant capital, and were without foreign competition, their credits were in part extended to eighteen months;—a longer period, I will venture to say, than they give their customers. The consequence of this system is, that, by selling at auction for cash, or on short credit for notes which can be discounted at bank, the amount of duties thus loaned, may be invested in a new voyage. Generally one, and often two adventures, may be completed before the duties on the first are due.

We have lately heard much of the favorite commercial maxim, "Let us alone; let trade regulate itself." The practical application of this maxim is developed by this custom house system. Our legislation upon this subject has been uniformly progressive. Regulation has indeed followed regulation; but it has been to give additional facilities to commerce. The credits at the custom house have been often altered; but, in every case, they have been increased. Our statute book does not contain a solitary instance of a credit diminished. This system, having been coeval with our government, followed up by a uniform series of acts for thirty years, is now viewed as the natural and established order of things; as a matter of right, not of favor. Extending the credit means, "let us alone;" to reduce it to the old terms, is to destroy the commerce of the country. It is worth while to look at the practical illustration of this rule in the act of 1818, the *last* law on the subject, passed on the *last* day of the session. The East India credits were extended to eighteen months, in the *last* line of the *last* clause in the *last* section of a bill for the *deposit of wines and spirits*, and for other purposes. It might be well to enquire into the evidence on which this measure was reported. It is at least to be hoped that, from whatever other quarter it may come, the doctrine of "letting things regulate themselves," will not again be heard from those who owe so much to regulation.

In speaking thus plainly of these credits, I must not be understood as objecting so much to their expediency at the time of their adoption, as to their being continued and enlarged after the reasons for which they were granted have ceased, and when their effects have become injurious to all parts of the country. They were granted for the benefit of American commerce and as facilities to American merchants; but they now operate to the destruction of the one and the impoverishment of the other. From a careful examination of the weekly abstracts of merchandise entered at the custom house in New-York, in the year 1819, it appears that there were entered 32,958 packages of dry goods, of which 24,659 were on foreign, and 8,299 only on American account. Thus, in the proud emporium of our commerce, where capital is abundant, and in vain seeking profitable employment, three fourths of the importations appear to be on foreign account, the sales of which, for the most part, are by auction. This is no forced, but the plain and evident effect of obvious causes. The nations of Europe, to whom England allied herself, and whom she subsidized to destroy the continental system of

Bonaparte, having accomplished the object of putting down its author, retained or re-adopted the system itself. That nation who fought the common battles of herself and other nations, and who paid them for fighting for themselves, now finds her manufactures mostly excluded from the continent. Her merchants and manufacturers seeking rather for some market than for a good one. Few nations will buy from them at all; none but this will furnish them with a capital without interest on a long credit. Other nations regulate this matter; they require prompt payment of duties, or deposit of goods. We leave things to regulate themselves, and allow foreigners to avail themselves of three fourths of the benefits of our credits. Depressed at home for the want of a market as well as of capital, they eagerly look to us as affording both. During the wars in Europe, they could not improve these facilities; but now they hold out inducements and offer temptations which will lead to a great increase and a final monopoly of our trade in their hands. An ordinary trading voyage to England may be completed, the goods sold by means of auctions, notes discounted, and the proceeds ready to be remitted back in four months. By the Liverpool packets much less time will suffice. But, allowing three operations in a year, I find that our custom house credits on cottons and woollens will double the capital employed the first year, and increase 135 per centum at the end of the second year. In this mode, a loan, perpetual and increasing in a steady ratio, is made by our government to the foreign merchant; who, while he thus obtains it, without interest, is enabled to continue his operations—and while he can avoid the notary, he looks more to his credit than to his profits, and will continue his business though it may be a losing one. What to the American merchant would be a losing is to him a gainful trade. The American importer becomes a mere caterer to the foreign manufacturer. The orders sent out by him indicate the quantity, kind, and quality of goods required at our different ports.—The manufacturer thus advised of the demand, sends similar articles to the same market. If, after deducting charges, he can receive in New-York the price at his manufactory, he has the usual profit and an increase to his capital by the custom house credits. The American merchant pays the manufacturer his price in England, and must sell here at an advance, or decline business. It is, therefore, not a matter of surprise that so large a proportion of importations should be on foreign account, but rather that there should be any other.

This at once accounts for the cries of distress which assail us from the commercial cities, imploring us to abolish credits on imports, and impose heavy duties on auction sales. The operation of these two causes on all the great interests of the country, shews their intimate connection, their mutual dependence. I hope all will unite in affording a remedy. It will be truly unexpected if gentlemen shall be found willing to have the revenue, commerce and agriculture abandoned to their fate, because the only measure which can save them will likewise benefit manufactures. The occasion is now fairly presented to the house. This bill has been called for from the sea-ports. It has been reported, published in the counting rooms of merchants for three months, and not a solitary petition against it from individuals has been presented. Called for by all, and I may almost say opposed by no part of the country, necessary to correct existing, not fancied evils,—evils which are felt and threaten to be

greater in future, I cannot but feel some confidence that even the opponents of the tariff will be in favor of this bill. For the revenue it is almost indispensable, as well for security as for convenience. On the first of January of the present year, the amount of revenue bonds actually in suit, exceeded three million of dollars. On the first of this month (April) it was considerably increased—say to 3,120,000 dollars. On the first of January, 1819, it was only 1,740,000 dollars.

That the increase of custom house delinquencies has kept pace with the increase of importations on foreign account, is not only apparent from the nature of the case, but from this document,* which in itself contains the most conclusive evidence of the fact. Salem, one of our proudest commercial towns, owns one fourth of the East India shipping of the United States. The longest credits are on East India goods; and the security for the duties is most liable to be impaired by the casualties of trade. Salem has, probably, a greater amount of commerce, in proportion to its population, than any other town in the union; but it is prosecuted on American account. The bonds in suit there, at the last returns, amounted only to 4,366 dollars. In Boston the amount was 174,000 dollars; in New-York, 844,000; Philadelphia, 471,000; Baltimore, 445,000; Norfolk, 251,000; Charleston, 210,000; Savannah, 251,000. These are, as to revenue, the effects of a change of the imports of the country to foreigners. American merchants are idle—they offer to loan you their money at 5 per centum, on a long loan. They are fixed in the country; their property and character are security for the payment of duties due from them. It is not so with the transient foreigner. His cargo gives him credit, and makes him a good man at the custom house. One is surety for another. They sell their goods at auction and go off, and leave their bonds unpaid. The money is lost to the treasury, but is taken from the pockets of our citizens. Thus this credit system tends strongly to the exhaustion of our resources, to the oppression of our own and the encouragement of foreign industry. When, in addition to these credits, the importations of foreigners are sold by auctioneers and one man does the business of one hundred, we have only to calculate the effects on the merchant, the mechanic, all the inhabitants of a sea-port, and the farmers of the surrounding country: one hundred houses, one hundred stores unoccupied; one hundred sets of clerks and servants unemployed; one hundred families less to feed and clothe, to pay general and local taxes, to contribute to the support of the government and the defence of the country. To this list, and to embrace all classes of society, I hope I may add the manufacturer, in whose favor import duties cease to be discriminating, the credit having the effect of a positive bounty on the importation of foreign fabrics. The credit, averaging twelve months, is equal to six per centum to the needy foreign manufacturer, who, in hope of better times, is willing to keep up his credit at any loss. The loan thus obtained may be worth the whole amount of duties, the highest rate of which is but 30 per centum, say 2½ per cent. a month—a rate of interest not unheard of in times of commercial embarrassment, even in this country.

To guard against these general and increasing evils, and to combine as much as possible the protection of all the great interests of the country, the

*An official return of the amount in suit in the different ports of the United States.

bill proposes to allow on drugs, dye stuffs, and what are generally called groceries, except wines and ardent spirits, a credit of three and six months; on teas, three, six and nine months; manufactured articles to pay the duties on their arrival, or to be deposited in ware-houses for six months, and then to be sold by auction if the duties are not paid. Though all the petitions on the subject, and the house will remark that most of them are from merchants, prayed for an indiscriminate abolition of credits, the committee apprehended that this would cause a change in the commerce of the country which, in its present depressed state, it could not bear. Strange as it may seem, and little as I well know they will be credited even for the existence of the motive, the committee of manufactures did anxiously desire, and took great pains to shape this bill so as to answer all the common objects, and yet save the merchants from the ill effects of granting the entire prayer of their own petitions. Had we done that we should have been justly exposed to the imputation of attending to only one, and not considering the other matters referred to us by the house. The West India trade was in the hands of American merchants—did not operate injuriously to the principal manufactures—we did not mean to touch these credits; and I think, by sound construction of the law, we do not. This requires explanation: In 1799, these credits were enlarged from four to three and six months. In 1805, the importations from countries north of the equator, on the eastern coast of America and the islands adjacent, were allowed the same credit as importations from the West Indies—thus making two distinct descriptions of places, or countries, the one not including the other. In the famous law of 1818, the credits on importations from north of the equator, (using the same words as the law of 1805,) were extended to six and nine months. The construction given to this act at the custom houses, has been that it extends to the West India credits. Believing this to be erroneous, and that neither the intention nor the words of the act will embrace the case, we feel satisfied that they remained as fixed in 1799. If we are mistaken, it at least shews the necessity of watching provisions of this kind, which have an important bearing on the revenue, and the impropriety of inserting them in laws the title of which would not lead the house on the last day of a session, to examine all its details. On the importation of goods imported from the East Indies, it has not been thought necessary to give a longer credit than on the same when imported from the West Indies; our views having a reference rather to the articles imported than to the place whence derived.

No good reasons presented themselves for giving facilities to importations from countries with which our trade was a losing one, and which afforded no market for our produce. It appears that in the years 1817 and 1818 our exports to China alone amounted to 7,240,000 dollars; of which 5,600,000 dollars were in specie; 1,512,000 dollars in foreign, and only 74,896 dollars in American produce. The exports of products to Asia were, American 61,000 dollars; foreign 511,000 dollars; amount of specie not known. In 1818 and 1819, the amount of specie exported to China exceeded \$7,000,000. Desirous not to bear too hard upon and unwilling to encourage this trade, the credits were reduced to such a term that a new voyage could not be completed on the capital furnished by the duties on a former one. This was carried on mostly, if not wholly, by men of great wealth, who could require no facili-

ties, except in regard to importation; and these, it is believed, are liberally provided for by the third section of this bill. But there were imperious reasons for abolishing the credits on manufactured goods, especially from Europe. The security of the revenue, the protection of American commerce and industry, seemed to concur in demanding such a change in the system, that the goods should not come into the market till the duties were paid. It was much wished to discriminate between importations on foreign and domestic account; but the objection seems to be insuperable against refusing to the foreigner a right to deposit on the same credits we were willing to allow to our own merchants. A refusal in the first case would have destroyed the little that remains to us of the carrying trade in Europe. France and England allow us to deposit all articles, even those which are not admitted to entry, until an eligible market can be found. They would refuse to us what we denied to their subjects. In the other case, a refusal would violate our convention with England; for, though the rates of duty would be nominally the same, yet the difference in time would make a difference in effect. I consider that convention so important and beneficial to the commerce of this country, that, from interest alone, we ought to observe it with the most scrupulous good faith, as a means of preserving our navigation. Without it you would be called on for protection, as you now are in relation to France. Though it is now not only presumptuous but almost criminal, for western men to interfere in the regulation of commerce, I beg those in that interest to reflect what would be the state of their trade with England, if, as in the case of that with France, it had been left to "regulate itself?" I speak it with pride, it was not only regulated, but saved by western men.

A very obvious defect in our present system of credits is, that it makes no difference between importations for home consumption and for re-exportation. In reducing the credit on some, and abolishing it on others, the committee foresaw that their plan would operate severely on that kind of commerce which they thought deserving of protection and of every facility, unless a discrimination was made. The bill provides for that in a manner which will effectually repel every imputation of hostility to commerce. It leaves it to the option of the importer to avail himself of the present system of drawbacks, by giving his bond for the duties and taking the debenture on exportation; or to declare his intention at the time of entry, giving his bond with security, to export and not re-land the goods; or, in lieu of such surety, to deposit them in a warehouse. [The time of exportation is left blank in the form of the bond.] No bond for the duties is required. It is only for his integrity, that the revenue may not be defrauded. He may deposit and take three months within which to make his election whether to try the domestic or a foreign market, without making a declaration of his intention to export. The section in relation to deposits contains substantially the same provisions as are in the existing laws respecting the deposit of teas—varied only so as best to connect the convenience of the merchant with the security of the revenue. On examining it, the house will perceive that, in the whole, it leaves the credits substantially as they were in 1790; that it is not so much an alteration as a restoration of the old system. The changes which have been made are indispensable. The credit on manufactured goods tends so strongly to do away all discrimination in our present tariff, be-

tween imported and domestic articles, that efficient encouragement cannot be given without abolishing them. We have used our endeavors to do it in the manner least injurious to commerce.

It is not without much surprise that I have heard the various objections to this bill. Not that an alarm should have been raised about revenue, commerce and smuggling; these are always expected, when any measure is proposed which tends to the benefit of manufactures. It is a matter of course to hear them. Local and personal reflections have been made on the committee who have reported it. Gentlemen seem to forget that a majority of that committee represent commercial places, and ought to be as much alive to their interest as those who represent districts which have no commerce, and who seem so much alarmed about the injury with which this bill threatens it. It is strange that merchants are not only easy on this subject, but desirous of its adoption; that it has been reported on their petitions, and by their immediate representatives. But it seems that they do not know their own interest; that their friends and new allies, in the fervor of their zeal and friendship, must take them under their guardianship. I think I can duly appreciate the reason. It is not because they are so friendly to commerce, but unfriendly to manufactures. This bill combines, with the other objects, the protection of this great interest; and hence arises their great hostility to it. I am not insensible of the impression made in the house by the powerful opposition it has met with, and that I am put on the defensive. You must allow me to answer the objections, to have it understood. The committee are charged with attempting to destroy the settled system of commerce which has been so long in operation, and under which this country has attained to its present greatness; and gentlemen speak of those long credits as coeval with the government, when they well know they have been the work of later days. It is at any rate, a singular objection that the committee of manufactures, in framing this bill, are charged with having consulted the interests of the wealthy merchants. This, from capitalists, is certainly unexpected. They must be hard to please, when their great opposition to this measure arises from its tendency to promote their interest. If this is true, it ought to please all. The small dealers do not complain—they are satisfied, nay desirous of its adoption; chambers of commerce and East India merchants are its only opponents—and that, because it does too much for them. They must excuse me, if I attribute their opposition to a much less disinterested motive. The craft is in danger, the charm is about to be dispelled by which the people and government of this country have been led to believe that foreign importations are the source of revenue and wealth. The treasury is empty, the people are impoverished; the cause is seen and felt to be the prostration of national industry, the encouragement of foreign. This objection was not urged by the same gentleman a few days ago, when you made a total and complete change of the system for the sale of the public lands. It had been tried for twenty years, had never been changed or altered, and was attended with no inconvenience—not a cent had been or could be lost. You had profited by it—had, by forfeitures, made a clear profit of 400,000 dollars. There was not a petition in favor of its abolition. But these were fancied evils; you apprehended danger, you thought a change would be useful, and by almost an unanimous vote, have passed a law by which a poor man, desirous of securing to himself

and family the means of support, must pay all cash for his title to eighty acres of land. Now we find the advocates of this measure so wonderfully attached to the system of impost and enormous credits, that they will not consent to even reduce them; and, while they affect so much fear for agriculture, commerce and revenue, are willing to permit the foreign merchant to have his twelve and eighteen months credit on his cargo of half a million of manufactured goods, the poor farmer must pay cash for his land—the foreigner may not only have a credit on his goods without interest, but be allowed to double his capital by the loan thus obtained from our own citizens. You see by this system that one fifth of your revenue is at this moment in suit. You know that the greatest portion of delinquencies is by foreigners; that much of it will be lost, that the duties are taken from the pockets of the consumer, which do not and never will go into the public treasury, but to foreign countries; that this evil is increasing most rapidly, that the amount in suit has doubled in the last year, and is at this moment greater than ever. You must borrow money to make up the deficiency thus caused, and yet listen to the cry of “you will destroy the revenue”—you are attacking ancient and venerable systems. Trace these credits through your laws, and you will find that this bill is in substance coming back to the old system of 1790—that it only does away innovations of later years. Much is said about the small losses in the revenue for thirty years; this only proves that the *bonds of our merchants are good*—but will any one say that their bond is better or safer than their *money*? But, tho’ the bonds of the American merchant are safe, you have here official evidence that those of foreigners are not. Suits increase with foreign importations, and you must not be surprised if the losses of the last two years are more than all the preceding ones. Fancied evils made you take away the credit on the public lands, but realized ones do not induce you to reduce them on importations. Commerce is, it seems, in danger—yet it is well known that these credits have been the means of throwing it into the hands of foreigners. Ask the American merchant if this bill will injure him—the merchant, the house owner of the seaport, who suffers by long credits and auction sales. Let the rate of rents, the price of labor, the unemployed houses, stores clerks, laborers and shipping, answer. We have been told that if foreign importations do not give employment to labor, value to property, and markets for materials and provisions here, *they do in some other countries*. Here I understand the gentleman who has made this remark, and thus points out the difference between his principles and mine. I do not profess those broad and comprehensive principles of philanthropy, which enable me to look unmoved at the general distress which pervades our whole country, and find consolation in the reflection that, tho’ our policy destroys the industry and prospects of our own, it encourages that of other nations. We are sent here to legislate for our own citizens—their interest should be our peculiar care; let others take care of themselves: their legislators do not leave things to regulate themselves. When they are called on for protection to any of their great interests—other governments do not say, if you have no employment here, if your manufactures are abandoned, your sea ports depopulated, your farmers without markets and your revenue in suit—*it is better somewhere else*. No member of this house can be ignorant of the fact, that our commerce is rapidly declining, and by means of these credits: the friends

of the mercantile interest are certainly liberal in the extreme in insisting on their continuance, when not a nation in the civilized world gives a credit but ours. Is it sound policy thus to impart to others benefits ruinous to ourselves, when there is no reciprocity?

It has been said that other governments encourage importations, and that this bill contains less liberal principles than their codes. The commercial experience of the gentleman has taught him better—he must think us strangely ignorant of their regulations, not to know the total incorrectness of the remark. He knows it, that all other nations discourage importations for home consumption—they encourage them for deposit as auxiliary to the carrying trade. We afford the solitary exception of the reverse; not a prohibited article in our tariff, no discrimination between imports for consumption or export, except the drawback of duties. This bill makes it—it gives facilities for export which were never offered before; it will aid American commerce which is worth pursuing; it will take it from foreigners who now almost monopolise it. I am not tenacious of the details of this bill; the great object is the reduction of the credits on manufactured goods—if too much is asked, let gentlemen say what will suit their ideas. Will they agree to any modifications, will they give up a little, or do they insist on retaining the whole—willing that commerce may be destroyed if manufacturers are not benefited. It would have much better suited my ideas, if we had endeavored so to modify the bill as to answer our common objects. But it seems that we have been mistaken in our expectations of conciliation; nothing will satisfy the gentlemen but by striking out the first section; the total defeat of the bill—there must be no modification, no alteration, no reduction of credits. Not satisfied with what they call the old system, they cling to the memorable act of 1818 as eagerly as if the whole commerce of the country depended on it. True to the commercial maxim, “keep what you have got, and get what you can,” while regulations are progressive, adding to your benefits, call that the natural order of things; but when the least attempt is made to touch even a skirt of your system, fold up your hands and say, “let us alone,” let us regulate ourselves. If we adopt your maxim and offer to divest commerce of even the ruinous trappings of its regulations, then the cry, “revenue and smuggling” comes to your aid and keeps off this most odious thing called regulation. I understand it—it will be understood by the country; we are always regulating commerce—you will this session; it is necessary to save it, if the petitions for navigation acts are to be believed. Let the house not forget one celebrated *regulation* in the late war, when goods to an immense amount had been imported in violation of your non-intercourse acts—when the merchants had given bonds to the amount of twelve millions of dollars which were forfeited, which they *added to the price of their goods and received from the people of the country, the consumers*, on the ground that they were obliged to pay them to the government. You, by one “regulation,” remitted them—and, at the expense of the treasury and the nation, put the money in the pockets of men who now say “let us alone.” When half as much is done for manufactures, I will admit that they may regulate themselves. I do not urge these matters from hostility to commerce, but to let its friends see that not the want, but the excess of regulation, has now made it necessary even for them to do away some part of their system, to induce them to make a common cause with the other great interests of the

country, to save themselves. Our export of produce and import of goods for home consumption, has ever been unprofitable—the only valuable part of our commerce, the carrying trade, is now leaving us—it can only be brought back by regulations. It is not denied that the importations are now mostly on foreign account. Importers will be exporters—those who bring your goods will take away your produce; if there is a surplus of imports, foreigners will take them to other markets. Merchants must see this, they now feel it—the situation of your sea-ports abundantly proves the fact. The pride of opinion must be abandoned. Commerce is no longer what it was—the change in the relations of the civilized world has been the cause—measures must be changed with the times: and, when we can trace to a definite source, a great portion of all the embarrassments of the treasury and the people, we are called on by every motive which ought to influence a national legislature to join in the remedy. In asking for the abolition of credits on manufactured goods, it is not any bounty or even encouragement of domestic manufactures. It is only that you take away the bounty, the premiums on imported, the inducements, the temptations that the needy foreigner cannot resist—that you shall not take money from the people of this country and lend it without interest, and often without security, to the foreign importer. Apply the favorite commercial maxim, not as practised on, but according to its real meaning—take away the credits, rescind the *regulations* which give them—then things will regulate themselves—now your laws regulate them.

The duties imposed by the existing laws are said to be sufficient protection,—and so they might be, if the operation of the system, made them, to the amount, a discrimination between the foreign and domestic fabrics. When impelled by the general distress, the prostration of all sources of national industry, to complain of its insufficiency and propose remedies, one gentleman charges the committee with obtaining their object by indirect means, and tells us to increase the rate of duty—another tells us this will be unavailing by the increase of smuggling. I had thought that the last charge brought against the committee of manufactures would have been that their objects were indirect. If the bills they have reported do not on their face explain their objects, the observations of their chairman have not left their views a matter of conjecture. If the bills pass, there will not be much doubt about their direct effect—at any rate they are meant to be efficient. I think it not very honorable to the mercantile character of this country to be told by experienced merchants, we will smuggle if you touch our system; raise a duty or diminish a credit, we will violate your laws. Let me entreat them to put too high a value on their reputation to hold out to this house threats of this kind.

As to high duties, the gentlemen and I understand each other very well; but neither on this or his resolution calling for evidence, is the committee to be caught. High duties are not the efficient means of protecting our industry; had we proposed them we should have defeated our own measures; the triumph would have been the greater as we should have destroyed ourselves, by falling in the snares of our opponents. Moderate duties, but so imposed as to be collected, so as to afford a real and not a mere nominal preference to our industry, are what we aim at. At present, they are merely a tax on the consumer, and operate in a very small degree for any other purpose. Calculate the boun-

ties, premiums and drawbacks of other governments on the exportation of goods, our custom house credits and sales at auction, it will be found there is little if any discrimination in favor of our manufactures: the duties are balanced by these advantages. It has been more our object to remove these premiums on importations than to raise the rate of duties. We are told that one third of the shipping of the United States is idle—it is certainly true. I will thank the gentlemen to give us the reason—he knows it is not the prosperity of manufactures, that the trade of the country is passing from our merchants; if ours is idle, foreign shipping is employed—that the custom house credits are the main cause—yet he will not agree to the change. I am bound to hope it is not because this bill aids other interests as well as commerce. Had it been reported by another committee, had the provisions of the third section been offered by any other than the *Goths and Vandals of the west*, I think they would have been retained—it is not impossible that even the European credits would have been reduced. But nothing from the committee of manufactures will be accepted; even favors from them will be rejected. I am glad that I voted against the separation of the committees of commerce and manufactures. I well know that it would hold out to the house and the country the idea that their interests were opposed; it was my belief then and is now, that they are the same: experience will show it—both are declining, not only going but gone—the same measures are necessary to redeem both. The committee well know they were undertaking an ungracious task in acting on all the subjects referred to them; how far they have acted impartially can best be judged not by professions but their acts. I am willing it should be tested by this bill, confident that when this excitement shall pass away, it will remain as evidence of our disposition to do as much for commerce as for manufactures—equally confident that the time will come when its loss will be regretted by those who now oppose it, not only as to parts but the whole—who will now agree to no amendment, no modification, but hold on to the old system in all its changes. All seem to admit that the commerce of the country is rapidly declining, but we are promised a change in 1822. I would be indeed thankful for the information on which this prediction is made, happy to know the means by which it is to be realized. Does the gentleman judge by experience, from facts, or does he rely on the chapter of accidents? Let me warn him not to indulge in delusive hopes, to look to causes and effects,—and, while there is a commerce to protect, not to delay the means of its restoration. Above all, let him beware how he presses on us his favorite maxim—of let things regulate themselves. This nation may not always apply it exclusively to manufactures; even here equality may be equity, and this favored child of legislation may be left to regulate itself. When 1822 arrives, and the gentleman's predictions turn out dreams, we shall perhaps have learned that government is instituted to protect more than one interest; that laws to favor commerce are not to be claimed as matters of right—for manufactures to be implored as charities, gratuitous favors flowing from your good grace; that one part of the nation is not to claim a monopoly of protection and protest against its being granted to another, as an usurpation of its prerogatives. How will he like to hear, to the prayers of commerce supplicating aid against foreign laws and competition and domestic indifference, the appalling answer of "re-

gulate yourselves,"—if you are not doing well, *commerce is doing well somewhere else*—your relief will injure manufactures, the revenue and lead to smuggling—we have adopted another child and leave you in the enjoyment of your own principles. This day may come, but it is not our fault—we have held out our hands in friendship, but have met with a cold repulse. If commerce is now left to itself by a repeal of all our regulations in its favor—the bounties on fisheries, navigation acts, coasting trade, tonnage duties, discrimination on imposts, light money—how would its friends like this "being let alone?" Let them then think how we feel at receiving this answer when asking for some portion of the benefits of government, by a measure which is called for by all parts of the nation and is necessary for the security of the revenue. To prepare for the reception of the tariff in this house, you adopted a resolution calling on the treasury department for information as to its effects—those who are now so alarmed about the revenue had better call to know the effect of long custom house credits and the propriety of a change. They seem unwilling to do it—it is not for us to ask it, but we can easily judge from the amount of revenue bonds. On the 1st of January last those outstanding, not due, were \$16,100,000—if the same amount should be in suit this, as was the last year, after deducting the expenses of collection and drawbacks, you can calculate the state of the treasury from imposts and decide whether it is better to take the money or trust to the bonds of foreigners. You will not trust your own citizens one day for any portion of the purchase money for their pittance of land—how will you answer to them for trusting to foreigners millions of your revenue, after you find by experience that they do not pay? How will you answer to the nation for the continuance of a system which is confessedly ruinous to agriculture, commerce, manufactures and revenue—which is daily adding to the distresses of all the country; and the embarrassments of the treasury, which are increasing and must increase during European peace, can only be checked by some such measure as is now proposed.

I am sorry to hear it still repeated that commerce provides all the resources of the government—those who ring this in our ears must surely think us very simple; that the people are so easily duped as not to know that the duty, with accumulated profits, is added to the price of every article, and paid by the consumer; that the merchant is only the collector and is well paid for collecting the taxes* the people pay them on every foreign article they eat, drink, wear or use.

But, sir, this bill is totally misapprehended—it does not change the system of imports, it only makes it effectual by preventing losses; it aids your treasury by bringing to it the money instead of bonds on long credit; it makes your system in some measure uniform and consistent, applying the same rule to purchasers of land and goods. If the bill proposed a total abolition of credits, it would be justly exposed to the attacks I am endeavoring to repel; but it goes no further than to make the duties payable in cash or the articles to be deposited, which interfere with our national industry, and principally affects that part of our trade which is in the hands of foreigners. It is objected that it will

tend still further to produce that effect and to exclude small capitalists from importations on their own account; these objections have long since been anticipated—they have in my mind been completely answered by the letters in my hand from the most intelligent merchants of New York and Baltimore. The foreign merchant and manufacturer, who send their goods here, are generally needy—the regular course of trade does not give them a market or they would not force their way to one here by auction sales—our credits operate as a loan and increase of their capital to carry on their operations at home—this is a great temptation to continuing the trade; the loan is perpetually increasing, every new consignment adds to the amount; it is unlimited as to time, and thus it will progress till you depend on foreigners not only for supply and defence but revenue. As one old bond is paid off a new credit is given for an increased sum. No other nation affords these facilities—hence our market is resorted to. But take them away, take from any consignment *twenty-five per cent. for duties instead of adding that amount by a loan*—compel the consignee to send the money for duties or pay a short bill, it would affect such a total change in his business that he could not continue it: then he must take from his capital at home to pay his way abroad—now you add to it by lending him money to use for twelve months. It is the difference between a premium and a tax—a bounty and a burthen.

There is no mystery in this—even backwoods-men can understand it; it would indeed be mysterious, if long credits encourage foreign consignments, that short ones should increase them—*cash payments* give them the monopoly. I cannot dwell on reasoning of this kind; it is much like the other objection that capitalists will engross all the trade.—This deserves some examination; if true, it presents a serious objection to the bill—if not true, the house will be able to decide on the character of the opposition. This and the auction bill are necessarily and closely connected, the one an auxiliary to the other—the petitions for both mostly from merchants and mercantile towns—whether from large or small capitalists, can best be judged by those who know the signers and will examine the number of those petitioners. Here is a petition from New York praying for the auction bill; there are more than 7,000 names to it. It must be a wealthy place indeed, if these are all capitalists. Here is one praying for a general abolition of all credits on all importations, signed by near five hundred merchants of that city—no one will pretend they are capitalists, no one has a right to say they do not understand their own interest. They have asked for this bill as essential to their protection; they have made common cause with the friends of manufactures, to check an evil destructive to both. Merchants of all classes have united in its favor, small as well as large dealers; it has been opposed by no individual petitions—no small capitalist has objected or now objects to its passage. The only opposition has been from your chambers of commerce, some of whom have sent and directed their memorials to us—others have sent but not directed them—circulated secretly, their effect felt but the power not tangible. I can hear of it, but it is not on our tables—we cannot examine it. These bodies, it seems, are the guardians of commerce.—Merchants undertake to judge for themselves, and ask us for a measure—a chamber of commerce remonstrates against it as injurious. I do not well understand who these chambers of commerce are; they are generally understood to be men who are to

*A citizen of New York was once boasting to Mr. Jefferson that that city paid one third of the whole revenue. He was silenced by this reply—"Remove the custom house across the Hudson and the city of Jersey would pay it."

settle disputes among merchants. In New York, I find, they are incorporated for charitable purposes—that they received the thanks of the assembly of that state for their patriotic conduct in *importing no goods from Great Britain* until she would repeal the stamp act. I would rejoice now to find chambers of commerce leaning against foreign and encouraging domestic industry and commerce; and in times past it would have been gratifying if some of our citizens would not have carried on commercial intercourse with England, during *embargo, non-intercourse and war*. I believe the members of these bodies are not generally composed of small capitalists of the first respectability—they are of the most wealthy. It is matter of some suspicion to find them guarding the small trader with so much care, and so fearful that the trade of the country will be thrown into their own hands—a suspicion that is not diminished when I find the merchants of Salem laboring under the same fears as to benefits which this bill will give to the large capitalists, and dwell so much on the injury to the young and enterprising. Here is something unaccountable to me. In 1818, the last extension of credits was made on the petition of the *East India merchants of Boston and Salem*—headed by William Gray and others, the greatest capitalists of the country—there were no petitions from any other place; small dealers did not ask for eighteen months credit, and small dealers are not much concerned in the East India trade. This law it seems, was thus passed on the petition and for the benefit of the wealthiest merchants in the union. I must be allowed to ask how the extension and shortening of credits will produce the same effects? I think too well of the gentlemen whose names were to these petitions, to believe they did not understand their own interests or would designedly impose on you. The gentleman who so ably represents one of these towns, must permit me to say, that, while he is contending that this bill will injure the small trader, he is contradicting the petition presented by himself, praying for long credits. Two short years cannot have made such a change in the principles of commerce. What would benefit capitalists in 1818, will do so now. Long credits will produce the same effects now as then. When objections are made to short ones, they must be tangible—I must know where to find our opponents—they must not play thus fast and loose. If short credits were injurious to capitalists in 1818, they will not give them a monopoly now. We are not to be thus amused with reasons which can be adopted to suit any measure—they are sure pretexts to defeat this bill, not because it will injure the small merchant but because it will benefit the manufacturer. It will take the bounty from importations, keep the money of the government at home, prevent loans to merchants from producing new importations on the capital furnished by the duties on the old. We have given the reasons and the evidence on which this bill has been reported. I would thank the then chairman of the committee of ways and means for the evidence on which he extended the credits to eighteen months. In examining the effects of this change I cannot see the injurious effects on the small trader; he can as easily pay the duties on a small importation as the large trader on a large one. Merchants adventure in proportion to their capital and credit—the duties are in proportion to what they import; the small dealer can often procure a small loan when a large one could not be obtained—the American merchant has a credit in bank, when the foreigner

has none—we may therefore feel ourselves safe in acceding to the petitions of those who have asked for this measure, that they have not asked chambers of commerce or East India merchants to become their guardians. Let it be remembered too, that the small dealers are mostly in the West India trade, which is not affected by this bill—the East India and European trade, which will be deprived of one of its facilities, is in the hands of capitalists and foreigners—this accounts for their alarm, and a desire to guard their exclusive interests under the pretext of protection to the small dealers. When the latter complain, I will then think the objection may have some weight—till then, it will be considered as a pretext to cover opposition to a system indispensable for all the great objects of government, merely because it comes in aid of manufactures. I must not be blamed for indulging this belief when there is such a settled determination evinced—not to touch any part of the present credits, when the same cry is raised whether we offer to touch the act of 1818 or to abolish the whole. It is at all times amusing to hear these same alarms rung on every occasion. The tariff brought them out—this bill has increased them, “it will ruin commerce, agriculture, revenue” and even the country itself! They must be weak indeed when they rest on European and East India credits—we got along very well before 1818—there were no very imperious calls on us to extend them then; if they were shortened now, I think the sun would still shine and water run! This is not the first time this country and all its interests have been ruined. The proclamation of neutrality, the British treaty, the French war, ruined us forever—the embargo and nonintercourse law were death—so was the late war: yet the country has survived all; it bears a great deal of ruin, and bears it very well, for one who has been ruined so often. After surviving such shocks, I think the little ruin which will be added by employing our own labor, our own materials, giving a value to our own property, carrying on our own commerce, and receiving into the treasury all the money that the people pay for taxes, will not be too much to bear! If this is ruin, it is of the kind which will restore us to prosperity. There must be a striking analogy between two opposite systems, agreeing in no one feature, yet producing the same effects—each attended with ruin absolute and irretrievable. You have tried imposts till your revenue has left you five millions short of your expenses—credits, till one fifth is in suit—importations on foreign account, till your commerce is destroyed—auction sales, till your merchants are idle (their hopes resting in a bankrupt law)—foreign goods, till your manufactures are abandoned—foreign markets, till your farmers find their produce rotting on their hands; and yet it is contended that the continuance of this condition of the country is necessary for its welfare; that a change will be ruinous. I hope gentlemen will ask themselves if ever there was a time when there was such a scene of universal distress—If it cannot be easily traced and satisfactorily accounted for, when called on as you have been this session by the people of the country, they will expect some better answer to their petitions than these alarms, which are always raised whenever there has been any attempt to adopt measures of vital importance. When you urge them you must give reasons—show how the present system will restore, how the proposed one will injure us—show how internal industry will injure internal prosperity—how idleness promotes national strength or individual wealth—and, above all, satisfy the farmer

for whose interest there is so much anxiety, how he is to be injured by buying his clothing from those who will purchase his produce. Now the surplus of his farm will not clothe his family and procure him his utensils; now he understands what is meant by buying cheap: that it does not consist in the price of the article he wants, so much as in the price of the article with which he is to make payment. When cloth is at \$10 a yard and flour at \$10 a barrel, one pays for the other—cloth at 6 dollars and flour at 3, the cloth to the farmer has doubled in price; the barrel of flour procures but half a yard of cloth.—These things will be understood—there is no mystery in political economy; it is a plain simple calculation of what is bought by the least labor and the smallest quantity of produce.

That article is the cheapest which the consumer pays for the easiest. What encouragement does the importer or retailer of foreign goods now give the farmer—what injury has a manufacturer in his neighborhood, or a market at his own door, ever done him? Is it better for him to seek it by navigation of 3000 miles, when, found glutted by supplies from other sources, the price less than at home—the home market destroyed by the eagerness for a foreign—shall all competition be destroyed, our produce left at the mercy of other nations, who have agricultural interests of their own to protect? Are they better friends to the American farmer than even our own government—theirs than our own citizens? These are questions which must be answered in some other way than "you will ruin the country." Sir, the country is ruined if you persevere in your present policy. It must and will be changed. Such radical and fatal errors will be checked by the general voice of the country, if not here. It had better be done while moderate measures will be sufficient—such as are proposed by this bill, which does not increase the duties, imposes no burthen on commerce—but, merely taking away the bounty and premium on foreign manufactures, so as to leave the duties which are laid on importation a discrimination in favor of our own industry and the trade of the country, in the hands of our own merchants.

Proceedings on the Slave Trade, &c.

The following account of the proceedings had in the house of representatives, at the last session of congress, will interest many of our readers, and at once shew the present state and prospect of things in relation to the slave trade, and respecting the colonization society, &c.—our readers recollecting that we have already published the law, (see page 236,) which makes it piracy, and subjects to the penalty of death, any citizen of the United States engaged in the slave trade.

On the 8th day of May, Mr. Mercer, from the committee on the slave trade, to whom the memorial of the society had been referred, handed in the following report, with the subjoined resolutions, bill, and amendment, which were ordered to be printed, and referred, on his motion, to the committee of the whole, to whom had been referred the bill from the senate, entitled "An act to continue in force an act to protect the commerce of the United States, and punish the crime of piracy, and also to make further provision for punishing the crime of piracy."

On the succeeding Wednesday, on the motion of the same gentleman, all the orders of the day preceding the bill in question were postponed to take

up that bill; when, after much discussion, the amendments of the senate's bill were adopted by a very large majority of the committee, and, on being reported to the house, were ordered to be engrossed for a third reading, by a like majority, and, on the next day, passed without a division.

In the senate, the amendments were taken up on Thursday, and, on motion, the further consideration of them was postponed till Friday, when, after a spirited discussion, for the late period of the session, they were passed by a very large majority. In favor of a motion to strike out that denomination of the offence which made the slave trade piracy, not more than five or six members rose from their seats. It is but justice to state, that, of those gentlemen, there was not one whose hostility to the odious traffic sought to be abolished could be doubted; so that the punishment of death has been annexed to this obstinate and inveterate crime by the almost unanimous voice of the national legislature.

The first of the resolutions, which the lower house refused to lay upon the table, by a majority of 78 to 34, was taken up in the senate on Friday, and passed, with little opposition, to a second reading. A rule of the senate requires that any resolution or bill shall be read three times on separate days, unless by unanimous assent, the rule be dispensed with, and, a member having, on refused his assent to an exception from this rule in behalf of the resolution, it remains on the table of that body.

The second resolution, although postponed to the first day of the next session, is not rejected. Such a motion precludes a discussion of the merits of any question. It was postponed by a majority of a few votes only; of the minority, several are known to have voted for the postponement from no objection to the resolution, but to preclude a debate upon it at the close of a long session of congress, when much other business pressed on the attention, and under a belief that no injury could result to the contemplated colony from the delay which would be consequent upon the postponement. Several gentlemen who voted for the postponement expressed to the reporter of the resolution, a willingness to vote for it on a reconsideration, which would have been moved by one of them, but for the rule of the senate already adverted to.

The third resolution was laid on the table by a majority of votes, and will pass over to the next session with the bill to incorporate the American Colonization Society.

An amendment had been moved to the resolution, in committee, by a gentleman who thought it liable to misconstruction, and, to guard against that, proposed to limit the power conveyed by it expressly to the objects which the chairman of the committee on the slave trade had proposed to attain by it; in which shape he was willing to support it.

The bill to incorporate the American Society for colonizing the free people of color, was of some length, and it was stated, in support of the motion to postpone it, that sufficient time did not remain to legislate correctly on the subject.

The friends of colonization have, therefore, nothing to discourage their hopes in the proceedings of the last session of congress. Those of the fifteenth congress, by revoking the power of the several states and territories to make slaves of the unfortunate Africans cast upon our shores by the slave trade, by authorizing the president to restore them to their native country, by providing for their

temporary succor there, and placing the navy of the United States at the disposal of the president, to aid in the abolition of this detestable traffic, have done much to advance the purpose of the society.

The act constituting such part of this offence, piracy, as is committed on the high seas, by citizens of the United States, under any flag, and by persons of any country, under that of the United States, and subjecting the offender to the punishment of death, completes, as far as the United States can do so, a system of moral and political justice, in relation to this crime, which is scarcely susceptible of improvement, unless by the co-operation of the rest of mankind.

If, in virtue of the resolution which passed the house of representatives by so large a majority, and which has been delayed in the senate, by the inexorable rule already adverted to, a negotiation shall be effected with the maritime powers of Europe, calculated, as the resolution proposes, to insure the speedy and utter distinction of this blot upon the humanity of the christian world, the sixteenth congress may be said, whatever local objections may exist, to the tenor of its other measures, to have achieved much for the justice and honor of the nation.

Report of the committee to whom was referred, at the commencement of the present session of congress, so much of the president's message as relates to the slave trade, accompanied with a bill to incorporate the American Society for colonizing the free people of color of the United States.

The committee on the slave trade, to whom was referred the memorial of the president and board of managers of the American Society for colonizing the free people of color of the United States, have, according to order, had under consideration the several subjects therein embraced, and report:

That the American Society was instituted, in the city of Washington, on the 28th of December, 1816, for the benevolent purpose of affording to the free people of color of the United States, the means of establishing one or more independent colonies on the western coast of Africa. After ascertaining, by a mission to that continent, and other preliminary enquiries, that their object is practicable, the society request of the congress of the United States a charter of incorporation, and such other legislative aid as their enterprize may be thought to merit and require.

The memorialists anticipate from its success consequences the most beneficial to the free people of color themselves; to the several states in which they at present reside; and to that continent which is to be the seat of their future establishment. Passing by the foundation of these anticipations, which will be seen in the annual reports of the society and their former memorials, the attention of the committee has been particularly drawn to the connection which the memorialists have traced between their purpose and the policy of the recent act of congress, for the more effectual abolition of the African slave trade.

Experience has demonstrated that this detestable traffic can be no where so successfully assailed as on the coast upon which it originates. Not only does the collection and embarkation of its unnatural cargoes consume more time than their subsequent distribution and sale in the market for which they are destined, but the African coast, frequented by the slave ships, is indented with so few commodious or accessible harbors, that, notwithstanding

its great extent, it could be guarded by the vigilance of a few active cruisers. If to these be added colonies of civilized blacks, planted in commanding situations along that coast, no slave ship could possibly escape detection; and thus the security, as well as the enhanced profit which now cherishes this illicit trade, would be effectually counteracted. Such colonies, by diffusing a taste for legitimate commerce among the native tribes of that fruitful continent, would gradually destroy among them, also, the only incentive of a traffic which has hitherto rendered all African labor insecure, and spread desolation over one of the most beautiful regions of the globe. The colonies, and the armed vessels employed in watching the African coast, while they co-operated alike in the cause of humanity, would afford to each other mutual succour.

There is a single consideration, however, added to the preceding view of this subject, which appears to your committee, of itself conclusive of the tendency of the views of the memorialists to further the operation of the act of the 3d of March, 1818. That act not only revokes the authority antecedently given to the several state and territorial governments, to dispose, as they pleased, of those African captives who might be liberated by the tribunals of the United States, but authorizes and requires the president to restore them to their native country. The unavoidable consequence of this just and humane provision, is, to require some preparation to be made for their temporary succour, on being relanded upon the African shore. And no preparation can prove so congenial to its own object, or so economical, as regards the government charged with this charitable duty, as that which would be found in a colony of the free people of color of the United States. Sustained by the recommendations of numerous societies in every part of the United States; and the approving voice of the legislative assemblies of several states, without enquiring into any other tendency of the object of the memorialists, your committee do not hesitate to pronounce it deserving of the countenance and support of the general government. The extent to which these shall be carried is a question not so easily determined.

The memorialists do not ask the government to assume the jurisdiction of the territory, or to become, in any degree whatever, responsible for the future safety or tranquility of the contemplated colony. They have prudently thought that its external peace and security would be most effectually guarded, by an appeal, in its behalf, to the philanthropy of the civilized world; and to that sentiment of retributive justice, with which all Christendom is at present animated towards a much injured continent.

Of the constitutional power of the general government, to grant the limited aid contemplated by the accompanying bill and resolutions, your committee presume there can exist no shadow of doubt; and they leave it to a period of greater national prosperity to determine, how far the authority of congress, the resources of the national government, and the welfare and happiness of the United States, will warrant, or require its extension.

Your committee are solemnly enjoined by the peculiar object of their trust, and invited by the suggestions of the memorialists, to enquire into the defects of the existing laws against the African slave trade. So long as it is in the power of the United States to provide additional restraints upon

this odious traffic, they cannot be withheld, consistently with justice and the honor of the nation.

Congress have heretofore marked, with decided reprobation, the authors and abettors of this iniquitous commerce in every form which it assumes; from the inception of its unrighteous purpose in America, through all the subsequent stages of its progress, to its final consummation; the outward voyage, the cruel seizure, and forcible abduction of the unfortunate African from his native home, and the fraudulent transfer of the property thus acquired. It may, however, be questioned, if a proper discrimination of their relative guilt, has entered into the measure of punishment annexed to these criminal acts.

Your committee cannot perceive wherein the offence of kidnapping an unoffending inhabitant of a foreign country; of chaining him down for a series of days, weeks, and months, amidst the dying and the dead, to the pestilential hold of a slaveship: of consigning him, if he chance to live out the voyage, to perpetual slavery, in a remote and unknown land, differs in malignity from piracy, or why a milder punishment should follow the one, than the other crime.

On the other hand, the purchase of the unfortunate African, after his enlargement from the floating dungeon which wafts him to the foreign market, however criminal in itself, and yet more in its tendency to encourage this abominable traffic, yields in atrocity to the violent seizure of his person, his sudden and unprepared separation from his family, his kindred, his friends, and his country, followed by all the horrors of the middle passage. Are there not united in this offence all that is most iniquitous in theft, most daring in robbery, and cruel in murder? Its consequences to the victim, if he survives; to the country which receives him; and to that from which he is torn, are alike disastrous. If the internal wars of Africa, and their desolating effect, may be imputed to the slave trade, and that the greater part of them must, cannot now be questioned, this crime, considered in its remote, as well as its proximate consequences, is the very darkest in the whole catalogue of human iniquities; and its authors should be regarded as *hostes humani generis*.

In proposing to the house of representatives, to make such part of this offence as occurs upon the ocean, piracy, your committee are animated, not by the desire of manifesting to the world the horror with which it is viewed by the American people; but, by the confident expectation of promoting, by this example, its more certain punishment by all nations, and its absolute and final extinction.

May it not be believed, that when the whole civilized world shall have denounced the slave trade as piracy, it will become as unfrequent as any other species of that offence against the law of nations? Is it unreasonable to suppose, that negotiation will, with greater facility, introduce into that law such a provision as is here proposed, when it shall have been already incorporated in the separate code of each state?

The maritime powers of the christian world have, at length, concurred in pronouncing sentence of condemnation against this traffic. The U. States having led the way in forming this decree, owe it to themselves, not to follow the rest of mankind in promoting its vigorous execution.

If it should be objected, that the legislation of congress would be partial, and its benefit, for a time at least, local, it may be replied, that the constitutional power of the government has already been exercised in defining the crime of piracy, in accord-

ance with similar analogies, to that which the committee have sought to trace between this general offence against the peace of nations, and the slave trade.

In many of the foreign treaties, as well as in the laws of the United States, examples are to be found, of piracies, which are not cognizable, as such, by the tribunals of all nations. Such is the unavoidable consequence of any exercise of the authority of congress, to define and punish this crime. The definition and the punishment can bind the United States alone.

A bill from the senate, making further provision for the exercise of this constitutional power, being now before the house of representatives, your committee beg leave to offer such an amendment of its provisions, as shall attain the last object which they have presumed to recommend.

Resolutions authorizing the president of the United States to negotiate with foreign governments on the means of effecting an entire abolition of the African slave trade, and for other purposes.

Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That the president be requested to consult and negotiate with all the governments, where ministers of the United States are, or shall be accredited, on the means of effecting an entire and immediate abolition of the African slave trade.

Resolved, &c. That the president be requested to enter into a stipulation, or formal declaration, with the several maritime powers recognizing the independence and permanent neutrality of any colony of the free people of color of the United States, which shall be established on the western coast of Africa.

Resolved, &c. That the president be requested, in such use as he may deem it expedient to make of the public ships of the United States, to afford every aid, not inconsistent with the public welfare, to the efforts of the American society for colonizing the free people of color of the United States, upon the western coast of Africa.

A bill to incorporate the American society for colonizing the free people of color of the U. States.

Be it enacted, &c. That Bushrod Washington, William H. Crawford, Henry Clay, John Mason, Henry Foxall, Stephen B. Balch, James Laurie, Obadiah B. Brown, William Wilmer, William Hawley, Walter Jones, Thomas Dougherty, Jacob Hoffman, Francis S. Key, Henry Ashton, William Thornton, Elias B. Caldwell, Richard Smith, and John Underwood, and others, composing the society in the District of Columbia denominated the American society for colonizing the free people of color of the United States, and their successors, duly elected in the manner hereinafter mentioned, be, and they are hereby, constituted and declared to be a body politic and corporate, by the name and title of the American society for colonizing the free people of color of the United States.

Sec. 2. *And be it further enacted,* That said corporation be authorized and empowered to take and receive any sum or sums of money, or other property, real and personal, of any kind or nature, which shall or may hereafter be given, granted, or bequeathed to the said corporation, by any person or persons, bodies politic or corporate, capable of making such gift or bequest: *Provided,* That money or other property be laid out or disposed of for the use and benefit of said corporation, according to the intention of the donors.

Sec. 3. *And be it further enacted*, That the said corporation, hereby created, shall have full power and authority to fill all vacancies which may happen in their number; to make, ordain, and establish, and execute, such by-laws and ordinances as may be deemed useful to the society, and the same to alter, amend, and abrogate at pleasure; to make, have, and use a common seal, and the same to break, alter, and renew at pleasure; to appoint such officers and agents as may be required for the management of the concerns of the said society, and to assign them their duties; and, generally, to provide for the transaction of all business appertaining to said society: *Provided*: that no by-law, rule, or ordinance, of the said corporation shall be made repugnant to the laws of the District of Columbia.

Sec. 4. *And be it further enacted*, That there shall be an annual meeting of the members of said corporation, at such time and place as the proper officers of said corporation may appoint, in which due notice shall be given in one or more of the newspapers published in the District of Columbia; at which time and place the members present shall elect or choose the officers of the society, to serve for one year ensuing their election, and until others shall be elected, and consent to serve in their places; but the present officers of the society may serve till the next annual meeting, until others be appointed or chosen.

Sec. 5. *And be it further enacted*, That the said corporation shall not engage in any banking operations; and that the charter hereby granted shall be liable to be amended, altered, or repealed, at all times hereafter, by the congress of the United States.

Important Law Case.

NORFOLK, May 26.

Yesterday the hon. *St. George Tucker*, judge of the district court of the United States, pronounced his decree in the case of *Don Pablo Chacon*, consul of his Catholic majesty, against 89 bales cochineal, &c.

This case has excited a much more than usual interest in our community. Day after day, during its discussion, the court room was thronged with many of our most respectable and intelligent citizens, zealously attending to its progress, and awaiting, with suspense, its termination. Nothing that talent, eloquence, ingenuity, research, or activity, could accomplish, was omitted on either side; and the public expectation, which had been previously wrought to the highest point by the novelty and importance of the case, was most amply satisfied and fulfilled. Mr. *Tazewell* and general *Taylor* occupied, each of them, twelve hours in argument, and gave renewed evidence of their title to be ranked with the first orators and pleaders of their country.

Information derived from a legal friend who attended the court during the trial, enables us to present our readers with the following sketch of this interesting case:

The libellant, the Spanish consul, prayed restitution of cochineal and other articles, to the value of about 50,000 dollars, brought into this port in March, 1817, in the *Buenos Ayrean* armed vessels *Independencia del Sud* and *Atrevida*, and rested his demand on several allegations, the principal of which were that these vessels were commanded by citizens of the United States, who, by the laws of nations and our treaty with Spain, could not take commissions to make captures of Spanish property; that they were fitted and equipped for warlike

purposes, or augmented in force, and manned within the Chesapeake bay, with the intent to commit hostilities against the subjects of his Catholic majesty. The claimant, *Don Diego Chaytor*, asked a decree in his favor on the ground, that the property libelled had been captured by a *national vessel* of the United Provinces of Rio de la Plata, and not by a *privateer*, and that it was not competent to the court, for that reason, to take cognizance of the case, and denied that the force of this vessel had been increased within the United States, in any other way than by the enlistment of persons who represented themselves to be, and were believed by him to be, citizens of the United Provinces of Rio de la Plata, transiently within the United States. The judge decided, that, as to the *restitution* of prizes, made in violation of our neutrality, there is no distinction between public and private armed vessels. He therefore, overruled the objection to his jurisdiction; and being of opinion, that the persons enlisted in the United States were not sufficiently proved to be citizens of the provinces of La Plata, awarded restitution to the Spanish consul, without damages. From this decree the claimant took an appeal to the circuit court, and the libellant appealed also from so much of it as omitted damages, about 30,000 dollars in specie being alleged to have been taken during the same cruise. Counsel for the libellant, *Tazewell*, *Stannard*, district attorney, and *Allmand*. For the claimant, *Taylor*. [*Herald*.]

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Edwards, the spy. In the house of commons, on the 2nd of May, alderman Wood gave a long and curious statement of certain facts that had happened in relation to Edwards, on the preceding day, being then the sitting alderman at Guildhall. Seven persons, four of whom were of "unimpeachable character," had appeared before the alderman to give testimony of high treason committed by Edwards, in proposing to destroy the whole house of commons when in session, for which he had provided much curious apparatus, &c! It appears that that wretched tool was beating up for more recruits to Thistlewood's party—being paid, perhaps, so much per head for every one that he put into the road to a gallows! Alderman Wood pledged himself to prove by "undisputable evidence that Edwards was the sole plotter and founder of the *Cato street conspiracy*." But the charges of high treason against him, being made for acts committed out of the city of London, alderman Wood referred the witnesses to lord Sidmouth, who replied that, as Edwards was liable to be called as a witness for the crown, it did not appear to him that any sufficient grounds were laid for instituting proceedings against him!!!

From this and other testimony, there is no doubt that Edwards was employed by the government, if not to originate a project of assassination, at least to urge it on to a given point and implicate as many in the plot as he could.

It is probable that this fellow will be sent to the United States—it is to be hoped that a minute description of him may be published, that, wherever he goes, he may be gibbeted by public opinion, and receive the utter contempt which a wretch so infamous deserves.

Sheffield trade. In an English newspaper, the *Sheffield Mercury*, of the 22d April, there is a well

written article on the Sheffield trade, which contains the following paragraph:

"America has long been one of the most important and valuable markets for our wares; but in consequence of their commerce being frequently interrupted, together with the misunderstanding and ruptures that have taken place between that country and this, has gradually weakened our interests with the Americans, and prompted them to turn their attention to manufactures; but with what success I am not prepared to say, though it is evident they are purchasing large quantities of steel, ready prepared for the hammer. And it is not too much to presume, that more steel has been exported to America, within the last four or five years, from this town and neighborhood, than has been worked up in our own manufactories in the same period, which is engendering an evil much to be regretted and accounts for the decline in the American markets. But, in all probability, the evil will not stop here; as it is very obvious, that, as they have occasion for such large quantities of steel, they have artificers to work it up; and, if successful, they will not long resort to England for that material, but will make it themselves; and this is more probable, as the American government are about to pass some very restrictive laws, which if put in force, will almost amount to a complete prohibition. Thus we have been preparing the way to our own ruin, by furnishing them with the only article that would have kept them in a state of dependence on this country for hardware."

SPAIN.

Count Almodavar, the new captain general of Valencia, has tendered to the *state* the difference between his former pay and that to which he is now entitled, to assist in relieving the wants of the nation. This difference is 90,000 rials velon, equal to about 6,300 dollars, which has been accepted by the king. The rial velon is about 7 cents.

SANDWICH ISLANDS.

On the 20th ult. we published a paragraph stating the death of Tamaahmaah, king of the Sandwich Islands, and expressed fears that dissection would arise among his descendants, and thereby endanger the safety of the American missionaries who have sailed for those islands. We are happy to learn that the captain of a vessel recently arrived, brings intelligence that the new king has been peaceably and firmly established in his authority; and, what is most remarkable, that he has destroyed the idols, and demolished the Morias and temples of idolatry; that he was very desirous missionaries should be sent to his islands, and had requested the captain to use his influence that they might come immediately. [*Boston Recorder.*]

FLORIDA.

From St. Augustine, we learn that an officer of the regiment of Malaga recently struck a soldier of the regiment of Catalonia, on which the latter turned out *en masse* to avenge their comrade. A great disturbance took place, but no lives were lost; yet 25 men of the Catalonia regiment marched off with their arms, &c. for Savannah.

CHRONICLE.

Our *Mediterranean squadron* was at Mahon on the 31st of March. The prohibition issued against our ships by the governor of Gibraltar, had not been repealed on the 20th April, says a Norfolk paper.

The *Congress frigate* was at Manilla, at the latter end of January last, and to remain there some time. Capt. Henley and his officers and crew were in fine health.

William Logan, Esq. a senator of the U. States, for Kentucky, has resigned his seat in that body, in consequence of being a candidate for the office of governor at the ensuing election in that state. He has published an address to the people on the occasion, in which he says: "To hold this office longer, while occupying the contested ground of a candidate in the state for another—the highest trust within your gift—to say nothing of the principle, does not comport with my feelings and native pride?"

HORRID AFFAIR. From a *New-York paper of Tuesday last*. It will be recollected by many of our readers that during the late war with England, the pilot boat *Patriot* was despatched to Charleston for the purpose of bringing to this city Mrs. Allston, lady of the then governor of South Carolina, and daughter of colonel Burr, formerly vice president of the United States. Mrs. Allston was in a delicate state of health at the time, and unable to travel by land. *Timothy Greene, Esq.* of this city, an intimate friend of governor Allston's family, proceeded to Charleston in the pilot boat, for the purpose of accompanying Mrs. A. on the voyage. From the time they embarked and sailed from Charleston, no tidings whatever had ever been heard of the vessel or any one on board. It was at first supposed that the vessel must have been captured by a British cruiser; but after a lapse of time, that hope was abandoned. Notwithstanding the weather was mild and favorable for several days after the vessel left Charleston, and such as to render her loss mysterious up to the present time, no other idea of the melancholy circumstance had prevailed than that the vessel must have foundered at sea, or run under during a chase.

But the mystery is at length developed—for the honor of human nature it were to be wished that the facts had never been revealed, and that the following horrible tale had been buried with the wretches who told it.

A gentleman recently from New-Orleans, has communicated to a friend of the family of the late Mr. Greene, that two of the *pirates*, lately sentenced to suffer death at New-Orleans, confessed that they composed part of the crew of the above pilot boat *Patriot*! that after being at sea two or three days, and near the shore, they rose upon the captain and passengers, and confined them below—when they stood close in shore, and after plundering the passengers of a considerable sum of money and plate, belonging mostly to Mrs. Allston, they launched the boat and scuttled the vessel, which soon filled and went down, with the unfortunate inmates confined below! The dreadful tragedy was performed in the dead of night. These wretches succeeded in reaching the shore with the boat, and had thus far escaped detection and punishment of this horrible crime.

Western road. Abner Lacock, David Shriver, jun. and William McRee, have been appointed commissioners, for laying out the continuation of the great road from Wheeling, to the left bank of the Mississippi, pursuant to a late act of congress.

Salt. In consequence of the opening of the middle section of the great canal in New York, Onondago salt now sells at 150 cents per barrel at Utica. It was previously considered cheap at three dollars.

Republican sentiment! Gen. Quiroga, the deliverer of Spain, enrolled himself as a private soldier of the militia of Cadiz, under the appellation of "citizen." The editor of the *Boston Gazette* is quite angry at him for this, and says it has "a little too much of the *slang of democracy*—that titles, orders

and degrees are absolutely essential to the maintenance of every government." So—so;—a printer, for instance, might be called *lord Lump-black*—a lawyer, *duke of Quirks*—a physician, *prince of gally-pots*, &c. &c.

The U. S. loan for 1820, of two millions, has been wholly taken by the bank of the U. States, at two per cent. prem. the loan to bear an interest of six per cent. per annum. The amount offered at various rates above par, but not "so favorable" as that by the bank, was nearly six millions.

Maine John Holmes, Esq. and general John Chandler, have been elected senators of the United States, from the state of Maine.

In the legislature of Maine, the salary of the governor has been reduced from \$1500 to \$1300 per annum—that of the chief justice of the supreme court has been raised from 1800 to 2000; attorney general reduced from 1000 to 800; secretary of state, treasurer and adjutant general, each reduced from 900 to 700. Different members have signified their intention of moving for a reconsideration of the votes by which the salaries have been altered.

The committee on banks and banking have been instructed to enquire into the expediency of directing bank corporations to make their semi-annual returns to the government and council of Maine, to have their *specie capital exclusively in their own vaults*; of making the private property of their stockholders at all times liable to the payment of corporate debts, where corporate property sufficient cannot be found; and of prescribing a penalty on banks to issue when and so long as they have not respectively in their vaults, at least one half of their capital stock in *specie*, and of making any further provisions as to the duties of such corporations, with leave to report.

At a late military festival at Portland, the following toast was given by gov. King:

"The militia of our state—Ours, for drill and discipline—our country's for defence."

[Gov. King, then gen. King, it will be recollected, was thought by the government of Massachusetts, during the war, as almost guilty of a sort of high treason to the "nation of New England," for organizing certain volunteer corps for "our country's defence."

Arms of Maine. The following is a description of the device, &c. of the new seal and arms of Maine:—

A shield, argent, charged with a pine tree: a moose deer, at the foot of it recumbent. Supporters, on dexter side, an husbandman, resting on a scythe; on the sinister side, a seaman, resting on an anchor. In the fore ground, representing land and sea, and under the shield, the name, Maine.—The whole surmounted by a crest, the north star.—The motto, in a label,

"Dirigo," [I guide.]

The emblems, &c. are very appropriate, and a full description of them has appeared in the Portland papers. The pine tree of New England, particularly of Maine, has long been celebrated for its majestic height, erect form, ample size, and usefulness. One of our revolutionary poets, in an address to the king of England, thus alludes to it:

"E'en the tall mast which bears your flag on high,
Grew on our soil and ripen'd in our sky."

The moose deer is also appropriate to Maine. This useful and harmless native of her immense forests, when of full growth, is scarcely inferior in

size to a horse, being found to be seventeen hands high, and weighing 1200 lbs.

The north star points to the geographical situation held by Maine, as a member of the federal constellation. The husbandman and the seaman, need no particular description to those who know how essentially she is agricultural and commercial.

Massachusetts. Elijah Mills, esq has been chosen a senator of the United States from Massachusetts, vice Mr. Mellen, resigned; and also for six years from the 4th of March next, when Mr. M's time of service would have expired.

Connecticut. The demands upon the treasury of this state, for the ordinary expenses of the present year, it is estimated will fall short of *eighty thousand dollars*! Not much, then, will be wasted. The principal of the school fund is \$1,700,000; yielding an interest, at present, of \$60,000; which will be increased.

Election expenses. One of the last acts of the legislature of Connecticut, was the passing of a resolution prohibiting in future the customary dinner to the clergy at the public expense. The governor's guards, also, have usually been furnished on that day with a public dinner. This too is abolished.

STATE PRISON.—To the honorable judges of the court of Oyer and Terminer, for the city and county of Philadelphia.

The grand jury having been engaged in the examination of a homicide, committed within the bounds of the prison, and having visited that institution, deem it their especial duty to state, that 470 convicts are now confined in the Walnut street apartment, and 250 untried prisoners in the Prune street apartment. That, although much attention is paid to cleanliness, and every thing done that might be expected from faithful, active and vigilant officers, yet, from the nature of the building, it is known that prisoners are indiscriminately assembled together without regard to age and crime. The young offender, whose sense of propriety solitude might restore, is utterly lost by unceasing lessons from the worst of men; and the old convict, by his associations day and night, is literally prevented from reflection. These are, indeed, evils which have been long felt, often complained of, yet unremoved. Additional motives now present themselves. The unusual increase of crimes, the number of daring and desperate men who are confined, and the want of employment, which heretofore assisted in their discipline, have not, without reason, created alarm for the security of the prison. Since the revolt of the prisoners much has been done towards safety, and it is hoped with effect. But since the evil is every day increasing with the increase of crime, surely it is time that something was commenced, if not to carry into effect our humane criminal code by such solitary imprisonment as would reform the life of the criminal, at least to afford subordination and ample security. The punishment of confinement for offences, to produce reformation in the delinquent, must be solitary, and his person so secure that escape is hopeless. These ends cannot be obtained by the present state and construction of the prison. The grand jury, therefore, hope the honorable court will join them in recommending this subject to the immediate attention of those bodies, to whom it properly belongs.

RICHARD HENSHAW, Foreman.
RT. A. CALDWELL, Secretary.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

INDEPENDENCE. Tuesday next is the anniversary of the time when it pleased the ALMIGHTY, that a great nation should commence its career of virtuous liberty and happy independence. Public opinion was prepared for an act declaring that the United Colonies of America owed no allegiance to the king of Great Britain—yet there was something so sublime and awful in thus rending the bonds between us and the mother country, that few persons, though rejoicing in the new order of things, were without some secret, fearful apprehension of the result: but they "counted the cost of the contest and found nothing so dreadful as voluntary slavery;" and, relying "on the protection of Divine Providence" they pledged their lives, their fortunes and their sacred honor, to maintain that contest to a successful issue. They succeeded, and we are now reaping the fruits of their dangers, toils and sufferings. The tree of liberty was planted in anxiety, watered with tears and nurtured with blood—but, guarded, by valor, it flourished—and "its leaves are for the healing of nations."

"Lo, thus! we have searched it—so it is;
Hear it, and know thou it for thy good."

Nearly all the great actors in 1776, have made their exit to "another and a better world;" but some venerable men yet remain to bless our land with their presence and point the path to political rectitude. Among these, *John Adams* and *Thomas Jefferson* stand pre-eminent; the first, as the only survivor of such as carried the spirit of Massachusetts into the national congress, and indignantly urged violated rights to justify an assumption of independence; the other, as bringing a similar spirit from Virginia, and for being the author of the declaration—both, as being members of the noble committee who reported it to their illustrious brethren, the representatives of the American people; disavowed, indeed, by the king and his agents and officers, but precious to humanity and immortalized in the remembrance of the friends of freedom.

Though we have made some aberrations from the republican simplicity and honest zeal for the welfare of the nation, which existed in those days, chiefly perhaps, by the acquisition of wealth and consequent growth of luxury and extravagance,—still we have much to gladden the heart of the patriot and convince the *judgment*, of the benefits of a free, federal, representative government. It is true, that men invested even with delegated power, have sometimes forgotten right; that many have pursued their own interested views to the detriment of their country, and some chicanery and corruption has prevailed. These things must happen until "angels in the form of men shall condescend to govern us"—but we have a corrective which no other people possesses, in the force of public opinion and the power of the ballot; things of inestimable value and deposited in safe hands, until society is its own worst enemy.

We have had days of prosperity and seasons of adversity; we have borne the latter much better than the former. When dangers pressed, the people were alive to their interests and surmounted every difficulty: but in a state of ease and seeming security, these interests were neglected until improvidence dissipated apathy by suffering. As among the several cases of this sort which have hap-

pened since the adoption of the constitution—we may observe, that about three years ago, congress and the executive did not seem to know what to do with the revenue, nothing like party feeling was known and sectional differences had disappeared;—now we are borrowing money for the support of government, powerful parties are again contending, and sectional differences, on two great questions, prevail more dangerously than ever they did before. Good may grow out of these evils—economy, public and private, will become the order of the day, and the apparently increased necessity of a good understanding between the several parts and different interests of the nation at large, will produce a spirit of conciliation, a willingness to give up some particular feeling or special interest for the good of the whole, which must strengthen the confederacy instead of relaxing its bonds, as some have apprehended was about to happen from our late conflicts of opinion, on certain weighty matters.

It is the great merit of our system of government that even positive evils may be productive of benefits—a condition that belongs to no other that we know of, unless brought about by "treason, rebellion and revolution," to affect the *principle* of government. Our principle is, that every man is responsible to the law, that the law is subject to the constitution, that the latter depends on the will of the people, freely expressed—it being established that a majority shall govern. Far be it from me to say that our constitution is perfect;—it is not in the nature of things that either the constitution, or its sovereign, (the deliberate public will,) should be in all things right, as tested by experience; but the power to amend what proves to be wrong is retained, and it is natural that we should seek our own interest. In doing this, we may sometimes be called upon to find fault, to reprove, to instruct—these are irksome duties; but the right of complaint is inherent in the aggrieved, and the power of government is vested by our laws in the wishes of the governed. One man therefore, goes out of office and another comes in, without the least effect on what are universally admitted to be fundamental principles, though a difference of opinion may exist as to their administration—and, to the nation, it matters not the value of a straw, whether a "red rose" or a "white rose" is the badge of the power which they themselves have delegated.

These are blessings never sufficiently to be esteemed—the season is happy for calling them to remembrance. May all of us recollect them when engaged in our national festivity, and warily feel that we are men, who acknowledge no superior, except of superior virtue or intelligence; and call to mind, that it is only to the throne of the "sovereign of nations" that a free republican should bow himself. Then shall we be invigorated to pursue a good conduct, and our country profit from our pure vows offered on "the altar of '76"—the gathering place of emancipated millions, where the political ark rests resplendent with political truth, having public morals and private worth for its base, and standing on the great first principle, "that all men are created free and equal, and endowed by their Creator with certain natural and unalterable rights; among which are life, liberty and the pursuit of happiness."

United States' Loan—1820.

We have collected and published below, the several articles belonging to the loan of two millions just effected by the United States, and added thereto a paragraph from a Philadelphia paper, and the prices current of the 6 per cent. stocks at New-York, Philadelphia and Baltimore, to afford a complete view of the subject—and some remarks.

An act to authorise the president of the United States to borrow a sum, not exceeding three millions of dollars.

Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That the president of the United States be, and he is hereby, empowered to borrow on the credit of the United States, a sum not exceeding three millions of dollars, at a rate of interest, payable quarter yearly, not exceeding five per centum per annum, and reimbursable, at the will of the government, at any time after the first day of January, one thousand eight hundred and thirty-two; or at a rate of interest, payable in like manner, not exceeding six per centum per annum, and reimbursable at the pleasure of the United States; to be applied, in addition to the moneys now in the treasury, or which may be received therein from other sources, during the present year, to defray any of the public expenses which are, or may be, authorised by law. The stock thereby created shall be transferable in the same manner as is provided by law for the transfer of the public debt.

*Sec. 2. And be it further enacted, That it shall be lawful for the bank of the United States to lend the said sum, or any part thereof; and it is hereby further declared, that it shall be deemed a good execution of the said power to borrow, for the secretary of the treasury, with the approbation of the president of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed, or for any part thereof, bearing an interest of five per centum per annum, transferable and reimbursable as aforesaid, and to cause the said certificates of stock to be sold: *Provided*, That no stock be sold under par.*

Sec. 3. And be it further enacted, That the secretary of the treasury be, and he is hereby, authorised, with the approbation of the president of the United States, to employ an agent, or agents, for the purpose of obtaining subscriptions to the loan authorised by this act, or of selling any part of the stock to be created by virtue thereof. A commission, not exceeding one-eighth of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum, not exceeding four thousand dollars to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated for that object, and also for defraying the expenses of printing and issuing the subscription certificates, and certificates of stock, and other expenses incident to the due execution of this act.

Sec. 4. And be it further enacted, That so much of the funds constituting the annual appropriation of ten millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be sufficient for that purpose, after satisfying the sums necessary for the payment of the interest, and of such part of the principal, of the said debt, as the United States are now pledged annually to pay or reimburse, is hereby pledged and

appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied and paid out of the said fund, yearly, such sum and sums as may annually be necessary to discharge the interest accruing on the said stock, and to reimburse the principal, as the same may become due, and may be discharged, in conformity with the terms of the loan. And they are further authorised to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards discharging, by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

H. CLAY,

Speaker of the house of representatives.

JOHN GAILLARD,

President of the senate, pro tempore.

Washington, May 15, 1820. Approved,

JAMES MONROE.

TREASURY DEPARTMENT, 19th May, 1820.

Notice. In pursuance of powers which have been vested in the secretary of the treasury, under the act of congress authorising the president of the United States to borrow a sum not exceeding three millions of dollars, approved the 15th instant, proposals will be received at the treasury, at any time before the 22d day of June next, for any sum not exceeding in the whole two millions of dollars.

The proposals must state the amount to be loaned; the rate, not below par, at which stock, bearing interest at the rate of six per cent. per annum, payable quarter yearly, and redeemable at the will of the government, will be received; the instalments by which the payment will be made; and the place where the money will be paid—but in all cases it must be paid into the bank of the United States or its offices. Upon a failure to pay any instalment at the time stipulated, the instalment immediately preceding shall be forfeited to the use of the United States. Scrip certificates will be issued by the cashiers of the bank of the United States and of its offices, respectively, where the payments shall be made, to the persons by whom they are made—upon which certificates shall be endorsed the payment of each successive instalment. The said certificates will be assignable by endorsement and delivery, and will be funded at the loan office in the state where the payments shall have been made by issue of stock of the above descriptions, to the amount to which the several parties may be entitled, according to the rates at which it may be receivable. If any sum in addition to the two millions of dollars contemplated in this notice shall be obtained upon stock bearing an interest of six per cent. per annum, under the authority of the said act, the parties to the said loan of two millions shall have a right to advance the same upon the terms and conditions of that loan.

WM. H. CRAWFORD,

Secretary of the treasury.

From the National Intelligencer of June 23.

The loan for 1820.—The time for receiving proposals for the six per cent. loan of two millions expired on Wednesday. The offer of the bank of the

United States was two per cent. premium upon the whole loan, being the most favorable, has been accepted. The whole amount which was offered above par, was nearly six millions. The premium on this loan would, doubtless, have been much greater, but for the uncertainty as to the term of its duration, it being redeemable at the pleasure of the government.

From a Philadelphia paper of June 24.

The city loan of 50,000 dollars, at six per cent interest, was taken up on Thursday last, at a premium of 5 to 6 per cent.

Prices of U. S. six per cent. stocks—June 23.

At New York	war loans, 6 per cents.	103 1-3	105 1-2 div. of.
Philadelphia	do.	106	106 3-4
Baltimore	do.	105	106 1-3

It is not said whether, in the prices quoted at Philadelphia and Baltimore, the dividend was "off" or "on," but we presume the latter: yet, as the interest is payable quarterly, that which had accrued must have been less than 150 cents on \$100—the fair price then of the lowest rates given was at least 4½ per cent. above par, the dividend off.

The difference of rates arises from the various periods at which the different issues of 6 per cent. stocks are reimbursable: thus, the stocks of 1812 are payable in 1825; those of 1813, in 1826; those of 1814, in 1817; those of 1815, in 1828. Such as are payable at the most distant periods are preferred; but in Baltimore, however, the difference in the price of the several stocks was only one half of one per cent. and in Philadelphia, the seat of the bank of the United States, no more than three fourths of one per cent. or, in other words, the least desirable of the 6 per cent. war loans was more than 4½ per cent. above par, exclusive of dividend. Yet the two million loan was sold at Philadelphia for two per cent. above par—but, as the "*National Intelligencer*" observes, it is probable that the premium on this loan "would have been much greater, but for the uncertainty of the term of its duration, it being redeemable at the pleasure of the government." The difference, nevertheless, between 2 per cent. premium, the amount received, and 4½, which was the current advance of the 6 per cent. stocks, is *fifty thousand dollars*—and this, we think, might have been saved with a little more frankness and precision, as there never was a time in the United States when so much money was seeking a safe investment.

Those who are curious in these things will do well to refer to the report of the committee of ways and means, asking for a loan, inserted in pages 141, 142 and 143 of the present volume; to which nevertheless, some of that committee objected—for Mr. Trimble, whose speech we have before us, very severely attacked that report, and shewed, we think, that it contained many important errors and fallacious calculations, which it may be our duty hereafter to compare with facts. The report, however, maintains the idea that, after using all the surplus of the sinking fund (\$2,288,497) a loan of two millions would be sufficient to meet the current expenses of the year 1820; but congress thought differently, and passed a law to authorise the borrowing of three millions. For 1821, after too much calculation, and again appropriating the surplus of the sinking fund in that year, the report shews a small balance of estimated receipts over estimated expenditures; yet it seems as if almost universally agreed that we must also borrow money in the said year. The sum of 10,000,000 is solemnly pledged every year for the payment of the principal and interest of the public debt—this is called the "sinking fund;" but in the years 1821, '22, '23, and '24, as none of the

principal of our debt is redeemable, except some fragments of the "deferred stock," the surplus in these years will average about \$4,700,000 a year. We see that this surplus in 1821 is already given up for the use of the year, though the committee "deprecate a recurrence" to an invasion of the sinking fund; so that, if *thereafter* the fund remains untouched, the aggregate surplusses for the years '22 '23 and '24 may amount to 14,100,000; but in 1825, the sum of \$18,870,405 of the principal of the debt is redeemable, and in 1826, 22,337,368: making together

Deduct the surplusses of 1822,	
'23, and '24	14,100,000
Deduct whole amount of the sinking fund for the years 1825 and 1826, over the amount to be paid for interest—about	11,500,000
	<u>25,600,000</u>

Deficiency

15,627,773

And the loan of two millions just now contracted for, and others that may be authorized, must either be *really* added to the deficiency, or thrown back to a more remote period of payment; so that we cannot expect to pay our debts without making new ones—without "robbing Peter to pay Paul."

To revert to the two million loan. The committee, in offering the bill to authorize it (see page 142) said—"they had only to choose between a loan of a temporary character or one of longer duration. They have preferred the latter, because it carries the time beyond that in which other debts are payable, and because it is believed that the loan will thereby be obtained on decidedly better terms than on one of a shorter duration." We are sorry to admit that there is no definite idea expressed here—the real meaning is uncertain, as is too much the case in official papers in many countries, and which so often have baffled and offended the reason of plain unsophisticated republicans, opposed to that sort of policy which deems it expedient to say something which may mean anything or nothing; like certain editorial paragraphs that at times appear in some of our newspapers. The idea is generally held out that this loan may soon be retired; yet considerable duration is recommended, that it may be obtained on more favorable terms! Might not the committee, who have calculated some things several years a-head, as well have calculated the period of this loan, leaving it still open to be redeemed at pleasure by the United States? If they had done so, it is very probable that the 50,000 dollars before mentioned would have been added to the available resources of the government.

The whole circumstances of the case with the present prospects of our revenue and expenditure, forbid the idea that this loan will be speedily paid off—though, by the "chapter of accidents," a general war in Europe, or something else that will resuscitate our commerce, it may be paid in 1822; and possibly in that year without a reliance on foreign events, (to be re-borrowed however, and more, in 1825,) if any thing is done which, by reviving national industry, may enable the people to purchase taxed goods, and pay for their lands, &c. The public, however, is profoundly ignorant of the probable period of this loan—hence the people knew not how to offer proposals for it; though the bank, from its connection with the government, doubtless knew what calculations to make and has profited by them. I do not mean to insinuate that official infor-

ination was obtained;* but it cannot be supposed that the matter was not *understood*, so that a *fat job* will be made out of it by the bank; and we should not be surprised to find the affair so *managed*, as that *this* stock will be in the market at 5 or 6 per cent. advance, provided the bank shall deem it advantageous to speculate upon it, as it probably will do—to prepare for the expected loan in 1821.

What we find fault with is this—that the committee of ways and means, or the house of representatives or the senate, the secretary of the treasury, or the president of the United States—or all together, did not give the *people* to understand the probable period at which this loan would be redeemed, that the nation might have saved something in this time of its need; that the hateful thing of borrowing money in a time of profound peace, might have been somewhat softened by the advantageous terms on which it was negotiated. Had this been the case, the bank would not have obtained the loan at *two per cent.* premium. The affair has too much the appearance of what was so much reprehended when the *eight per cent.* loan was taken up about twenty years ago, before "*any body*" knew of it! And, *timeo Danaos et dona ferentes*; literally, "I fear the Greeks, even when they offer presents," referring to the introduction of the famous wooden horse within the walls of Troy: I fear a connection, by loans, between the United States and the bank. The bank of England is pretty much a master in England—the creature is greater than the creator,—and we have a *notion* that "like causes will produce like effects."

While on this subject, we may observe that the committee of ways and means have estimated, as a resource of government, a dividend by the bank, "probably at 6 per cent. but *certainly* 4 per cent." in 1820. This dividend should now have been declared, if to be declared for the service of this year, and have been payable after the 1st instant. This is the 2d day of July, and no notice of a dividend has been given. And though we, the people, are receiving nothing from the bank, we are paying to it the small sum of \$50,000 dollars a year, on account of our five per cent. stock, which composes a part of the capital of that institution. This bank has made only three dividends since its establishment—say, on the 1st July, 1817, and 1st January and 1st July, 1818; the two former at the rate of eight, and the latter at the rate of seven per cent. *per annum*. Let us see how our account will stand, *pro and con*.

The bank of the United States commenced business in January, 1817,—and our share in the bank, the 7,000,000 in 5 per cent. stock, with the interest payable *quarterly*, began to bear interest on that day. The following will shew what we have paid and what we have received of the bank, on account of our part in it, up to the 1st instant, July, 1820.

<i>Bank, Dr.</i>			
Jan. 1, 1817,	Capital subscribed, 5 per cent. stock,	7,000,000	
July 1, "	Interest paid, in two quarterly payments,	175,000	
	† Ditto, on the first quarterly payment, at 6 per cent.	1,312 50	
Jan. 1, 1818,	Interest paid, in two quarterly payments,	175,000	

*The president of the bank was at the seat of government when it was announced in the "Intelligencer" that the loan was taken.

†This shews the difference between *quarterly* and *semi-annual* payments of interest; and, as the United States generally pay six per cent. on their debts, the interest on the interest is fairly calculated at that rate.

Ditto, on the first quarter's, as above,			
July 1, "	Interest paid in two quarterly payments,	175,000	
	Ditto, on the first quarter's, as above,	1,312 50	
Jan. 1, 1819,	Interest paid in two quarterly payments,	175,000	
	Ditto, on the first quarter's, as above,	1,312 50	
July 1, "	Interest paid in two quarterly payments,	175,000	
	Ditto, on the first quarter's, as above,	1,312 50	
Jan. 1, 1820,	Interest paid in two quarterly payments,	175,000	
	Ditto, on the first quarter's, as above,	1,312 50	
July 1, "	Interest paid in two quarterly payments,	175,000	
	Ditto, on the first quarter's, as above,	1,312 50	
			1,234,187 50
Capital stock and interest paid,			8,234,187 50

Bank, Cr.

July 1, 1817,	By 1st dividend at 8 per cent.	280,000
Jan. 1, 1818,	By 2d do. do.	280,000
July 1, "	By 3d do. at 7 per cent.	245,000
Capital stock, admitting it to be worth par,		7,000,000
		Dolls. 7,805,000

☞The difference is \$429,187 50, being a *positive* loss to the United States, on account of the mal-conduct of the bank, which we the people have *really* paid for "nothing at all," except for the benefit of the speculators and gamblers in the stock; a sum which, allowing that the bank will, in January next and thereafter, divide 6 per cent of profits, *per annum*, (and this is allowing a *great* deal), will consume *all* the profits which the United States will make on these seven millions of stock for nearly *seven* years—the difference between the *quarterly* payments of interest and the *semi-annual* receipts of dividends being considered. And the operation will be, that for about one half of the whole period of its charter, the bank will not make one cent of profit to the United States, except in the bonus, for all the advantages afforded in its incorporation! But its expected profits were to be "set apart" to make roads, canals and bridges! We repeat it, that it may be clearly understood, it will take *seven years of good management to bring up the loss which the United States have already sustained by subscribing for stock in the bank of the United States*. Such has been the progress of this "illegitimate" institution, in its pecuniary affairs—but well, perhaps, it is, that the original design of its makers were frustrated as they were. Yet on this account, it deserves no favor. It has no possible right to any privilege, as to the lending of money, which is not common to the whole people the republic.

Silver mine in Ohio—again.

[The following article was mislaid, or it should have been inserted at least three weeks ago.]

Zanesville, May 15th 1820.

Mr. Niles—A correspondent from this place in a letter of the 27th March last, gave you some information relative to the operations of the mining company near this town, which though in fact generally true, was from its form and manner calculated to cast a shade of reflection and discredit upon the company, their intentions and prospects, by calling it a "mining speculation," which I deem it but justice to correct, by offering to the public through the *Register*, a few more details on that subject. I would first, however, premise that I am not a stockholder, nor in the most distant degree

concerned with the company, further than to wish them success in what I consider a laudable and spirited undertaking; which they have a perfect right to carry on without being subject to the scoffs and sneers of any person whatever. This company has, nevertheless, been slandered by different writers who know little or nothing of the facts, and the circulation of those slanders have been extensive. Why they should be subject to imputations dishonorable in their nature, I know not, unless it arise from the natural propensity of many to envy their neighbors in prospects of good fortune, and the general disposition of mankind, from the many failures in searching after hidden treasure, to treat all such projects as chimerical.

Should the present project prove unsuccessful, it will become a new era in the history of mining, and will prove the cheapest method of exploring the earth for ore at any considerable depth from the surface. To those unacquainted with the manner of boring for salt, it may here be useful to observe, that it is performed, with strong chisels well tempered, of two inches or upwards in breadth, screwed by their shank into a receiver, fitted and rivetted on the end of a straight ash pole of about twenty five feet in length. These poles are in like manner connected and screwed together as the hole deepens, to any given extent. The poles are supported in a proper direction and driven on the rock by perpendicular strokes, sometimes by hand, aided by a spring pole to raise them, or raised by water or horse power, according to the ingenuity or convenience of the proprietor. Salt is likely to be procured in abundance throughout the western country under this process, and hundreds of wells are now boring. The theory is, that salt can be obtained at some given depth in any situation, where the salt water will rise to the surface, aided by a tin or copper tube, inserted the depth of the well, to exclude the fresh water. Some have found good water which would not rise so as to be within reach. It seems necessary to have a head of fresh water in the vicinity to force up the salt water. A continuation of rock is also necessary to success; although when arrived at the salt region, a fissure of considerable extent is requisite to insure a sufficient supply of water. The general range of wells vary from 180 to 500 feet in depth, with very little difference in the quality of the water.—From the present prospect in this vicinity, salt will become as cheap as in the sea ports. This is an important fact, and affords a striking evidence of the enterprise of our citizens and natural advantages of the country. I recollect well to have purchased salt near the Ohio river in 1794 at eight dollars per bushel; at which time it would have been considered more absurd to suppose that we could obtain a plentiful supply at 75 cents per bushel, by penetrating 500 feet in solid rock, than that the present Muskingum mining company should obtain silver with advantage to themselves, by a similar process. But to return from this digression—

Mr. Samuel Chandler, eleven miles from this place, in boring for salt more than a year since, after penetrating to the depth of 133 feet, struck a substance much harder than the common rock, the particles of which proved more ponderous than the usual sediments and would not float in the water with which the augur hole is always filled. This obstructed the boring considerably, and the large size of the particles drawn out by the sediment pump (a simple machine with which the hole is cleansed daily), gave rise to considerable animad-

version among the workmen, many asserting that it silver or some other metal. Mr. Chandler, however, paid little attention to the matter, and observed they were digging for salt and not for silver. The subject having incidentally come under the notice of a gentleman of some skill in mineralogy during the last autumn, he went to the place, enquired into the particulars and procured some bits of the supposed ore, which was assayed by skilful hands and pronounced to contain a considerable portion of silver in a remarkably pure state. Many particles were afterwards collected out of the rubbish about the well, washed and a further experiment made, which was equally satisfactory. A company was then immediately formed, the shares eagerly taken by a few, and they obtained an act of incorporation. On the organization of the company, a new experiment was made by preparing a scraper with a strong spring to press it on the side of the hole, and attached to the poles used for boring, with which they brought up, mixed with the ordinary materials or rock, particles of metal similar to the shavings of pewter, in quantities sufficient to confirm those best acquainted with the subject that the prospect was good, and determined the directors to commence sinking a shaft without further experiment. Agreeably to the original suggestion of Mr. Chandler, it was ascertained by this last experiment that the extent of the metallic vein was about seven feet in thickness. Another circumstance connected with this case is worthy of notice: A Mr. Sarchet, a foreigner by birth, holds a lease of a public salt section immediately adjoining, and has a salt well at a distance of about thirty rods eastward from Mr. Chandler's, and who struck the same mineral in boring his well many years since, but at a greater depth and thinner vein. In like manner it excited attention at the time, and an attempt was made to melt the substance in a blacksmith's fire, which proved abortive by the melting of the ladle. Mr Sarchet confidently believes the vein contains silver, and also applied to the legislature for privilege to mine, but was refused.

The writer has personal knowledge of most of the members of this company, some of whom are wealthy, and many of them men whose public and private characters place them above the suspicion of dishonorable intentions or hoaxing projects. They have embarked in the business under a full understanding of its merits. It is true, a few sales of shares have been made at high prices, but they were sold to the friends and connexions of the stockholders, and there has never been an effort to sell out generally. In fact, not a single original stockholder has sold out as I am informed, and but few have parted with any portion of their stock. The company are progressing daily in sinking a shaft of an oval form, 9 feet by 12 in diameter, at the rate of something less than a foot per day. Their present depth is about fifty feet, thirty of which is earth and the residue freestone rock, and they have thus far met with no obstruction to their progress worth mentioning. The only difficulty to be anticipated is the probable influx of water as the shaft deepens. They raise the stone by a windlass operated on by horse power, and contemplate working a pump if required by oxen or horses on the platform of an inclined wheel which has become common in this country. Steam power will eventually be applied if requisite, and no doubt need be entertained of the company prosecuting their purpose to a fair conclusion. Such are the facts in this case, on which every reader may make his own comments, and come to as correct a conclusion, as

the prospect of our *silver mine* as the president and directors themselves. I most heartily wish them success, and have no fears, even if they succeed beyond their most sanguine expectations, that it will retard the industry or check the prosperity of our fruitful and happy country.

AN OLD SUBSCRIBER.

Appointments,

By the president of the United States, confirmed by the senate.

[The following appointments were made and confirmed during the latter part of the last session of congress. A few of them have been heretofore noticed, from time to time; but it is thought best to publish them all now in regular succession, that we may be certain of having omitted none.]

Nat. Int.

John C. S. Harrison, of Indiana, to be receiver of public moneys for lands of the United States, at Vincennes, in the state of Indiana.

Willoughby Barton, of Georgia, to be register of the land office of the United States, at Jackson court-house.

William Armistead, of Virginia, to be collector and inspector of the revenue, for the district of Hampton.

William Minor, *Thomas Vowell*, *George Wise*, and *Christopher Neale*, of the District of Columbia, to be justices of the peace for the county of Alexandria.

William Clark, whose commission as governor in and over the Missouri territory, will expire on the 21st instant, to be governor of said territory for three years next ensuing that date.

Lewis Cass, whose commission as governor in and over the Michigan territory, will expire on the 11th of February next, to be governor of said territory for three years next ensuing that date.

William Barnett, of Alabama, to be receiver of public moneys for lands of the United States, at Jackson court house.

Samuel A. Morse, of the District of Maine, to be collector of the customs and inspector of the revenue, for the district of Machias, in Maine.

George Ferrabee, of North Carolina, to be surveyor and inspector of the revenue for the port of Pasquotank River Bridge, in that state.

John Chew, of Maryland, to be collector and inspector of the revenue for Havre de Grace, Maryland.

Alexander Hunter, to be surveyor and inspector of the revenue for the port of Savannah, in the state of Georgia.

John Rainald, of Copenhagen, to be consul of the United States for the port of Copenhagen.

Joshua Dodge, of Massachusetts, to be consul of the United States for the port of Marseilles.

Woodbridge Odlin, of Pennsylvania, to be consul of the United States for the port of St. Salvador, in Brazil.

Joseph Aborn, of Louisiana, to be collector and inspector of the revenue for the district of Nova Iberia, in said state.

John McNeil, jun. to be collector of the revenue for the ninth district in the state of Maryland.

Emanuel Wambersie, to be consul at Rotterdam.

Gerard D. Smith, of New-York, to be consul at La Rochelle.

Beverly Daniel, whose commission as marshal of the North Carolina district will expire on the 26th

of April next, to be marshal of that district for four years next ensuing that date.

James Prince, whose commission as marshal of the Massachusetts district will expire on the 16th January, to be marshal of that district for four years next ensuing that date.

Joseph F. Wingate, of Massachusetts, to be collector of the customs and inspector of the revenue for the district of Bath, in said state.

James Pulmer, of North Carolina, to be surveyor of the port of Windsor, in said state.

Harvey Strong, of New-York, to be consul at Glasgow and Greenock.

James Sterett, of New-Orleans, to be naval officer of the district of Mississippi, in Louisiana.

Robert B. Belt, of Maryland, to be factor at fort Edwards.

Bernard Spalding, of Georgetown, *John Boyce*, *John Crubb*, and *Gustavus Higdon*, of the City of Washington, to be justices of the peace in and for the county of Washington, in the District of Columbia.

Walter M. Leake, to be marshal for the district of Mississippi.

Christopher Ellery, of Rhode Island, to be collector of the district of Newport, in said state.

Barnabas Bates, of the state aforesaid, to be collector for the district of Bristol, in Rhode Island.

Henry Middleton, of South Carolina, to be envoy extraordinary and minister plenipotentiary to Russia.

George F. Strother, of Virginia, to be receiver of public moneys at St. Louis.

George Bulitt, of Arkansas, to be register of the land office at Cape Girardeau.

Tunstall Quarles, of Kentucky, to be receiver of public moneys at the same place.

Hartwell Boswell, of Kentucky, to be register of the land office for the district of Laurence, in the territory of Arkansas.

John Trimble, of Kentucky, to be receiver of public moneys at the same place.

William Douglass Simms, of Alexandria, to be register of the land office at Arkansas, in the territory of Arkansas.

Henry W. Conway, to be receiver of public moneys at the same place.

Benjamin S. Pope, of Alabama, to be register of the land office at Huntsville, in the said territory.

Obediah Jones, of the said territory, to be receiver of public moneys at the same place.

Humphrey Peake, of Virginia, to be collector of the district of Alexandria.

John M. Canfield, of New-York, to be collector and inspector of the revenue for the district of Sackett's Harbor.

Joseph Bryan, of New-York, to be consul at Pernambuco, in Brazil.

Thomas Trask, of Surinam, to be consul at Surinam.

John W. Parker, of Massachusetts, to be consul at Amsterdam.

William M. McLean, of Ohio, to be receiver of public moneys for the district of Piqua.

Thomas B. Vanhorne, of Ohio, to be register of the district of Piqua.

Ambrose Whittleck, of Indiana, to be receiver of public moneys for the district of Terre Haut, in said state.

Williamson Dunn, of Indiana, to be register of the said district.

Lazarus Noble, of Indiana, to be receiver of public moneys for the district of Brookville, in said state.

Robert Hanna, jun. of Indiana, to be register of the said district.

Charles M. Taylor, of Indiana, to be receiver of public moneys for the district of Jeffersonville, in said state.

John Horsey, of Maryland, to be factor of the United States at Fort Confederation.

John Taylor, of South Carolina, and *John Floyd*, of Georgia, to be commissioners to hold a treaty with the Creek Indians, for the extinguishment of their title to all the lands claimed by them within the state of Georgia.

Horton Howard, of Ohio, to be receiver of public moneys for the district of Delaware.

Platt Brush, of Ohio, to be register of the district of Delaware.

Lawrence Talliaferro, of Virginia, to be Indian agent at Peters, on the Upper Mississippi.

Matthew Lyon, of Kentucky, to be United States' factor at Arkansas.

Isbourn W. Boggs, of Missouri, to be assistant factor at fort Osage, on the Missouri.

Lewis Cass, of Michigan territory, and *Solomon Sibley*, of Michigan territory, to be commissioners to hold treaties with the Indians of that territory, for the extinguishment of their title to lands within the same.

Charles Tait, of Alabama, to be judge of the district of Alabama.

Joseph Selden, of Virginia, to be judge of the district of Arkansas.

David Files, of Alabama, to be marshal for the district of Alabama.

William Crawford, of Alabama, to be district attorney for the district of Alabama.

John N. Moulder, of the city of Washington, and *William S. Radcliffe*, of the same place, to be justices of the peace for Washington county, in the District of Columbia,

George Gray, of Kentucky, to be Indian agent at Natchetoches.

Henry Conner, to be marshal for the district of Illinois.

Thomas Coxe, to be register of the land office at Vandalia, for the district of Illinois.

John McLean, to be receiver of public moneys for the district of Illinois.

Dennis Prieur, to be receiver of public moneys in the eastern district of Louisiana.

James Johnson, of Virginia, to be collector for the port of Norfolk, in Virginia.

John Muldowney, of Pennsylvania, to be consul at Tangier, in the empire of Morocco.

Joseph Dunbar, to be receiver of public moneys at the land office west of Pearl river.

Lewis Winston, to be register of the land office west of Pearl river.

George Theodore Ladico, of Port Mahon, in the island of Minorca, to be consul for Minorca and the Balearn Isles.

John W. Hall, of Connecticut, to be consul to Cadiz.

Fourth Census of the United States.

We mentioned in our last that we had just received a copy of the instructions of the secretary of state, to the marshals of the several districts, relative to the 4th enumeration of the people of the United States, &c. These instructions are drawn up with that clearness and precision for which Mr. Adams is so remarkable; and, if attended to, will accomplish all that was hoped for from the act of

congress on this subject, if not add to the stock of information expected to be collected;* but, as only the persons engaged in taking the census are immediately interested by the details of these instructions, we shall pass them over and shew the objects to be enquired into, by making a brief abstract of the forms and papers attached thereto—which, we believe, will be quite sufficient to give an idea of the nature of the duties imposed on the marshals, and to explain what the people ought to do to assist them in their performance.

No. 1—Is a pro forma table, to shew the county, township, &c.; names of the heads of families; *free white males* under 10—from 10 to 16—between 16 and 18;—of 16 and under 26—of 26 and under 45—of 45 and upwards,—*females* the same, except the column provided for the males between 16 and 18; *foreigners* not naturalized; *persons* engaged in agriculture, in commerce, in manufactures;† *slaves*, male and female, under 14, from 14 to 26, from 26 to 45, of 45 years of age and upwards; *free persons of color*, of the same ages as prescribed for enumerating the slaves; *all other persons*, except Indians, not taxed.

No. 2, 3, 4, are forms of affidavits, &c. for the faithful performance of the duties prescribed to and by the marshals and their deputies.

No. 5, is a list of the interrogatories to be put to the heads of families, to ascertain the facts required in *No. 1*, with the addition of those queries—"Was there any person here *without a settled place of residence*, (and if so) what was his or her name?" "Was there any person belonging to the family *occasionally absent* from it, (and if so) of what sex, and of what age, color and condition?"

No. 6, is a list of the manufactures to be enquired into, as follows:

Ale; alum; anchors; ashes, pot and pearl; beef; beer; bells; belts; for soldiers; blacksmith's work; blank books; boats; bottles; brass, in sheets; brass manufactures; brazing copper; bread, ship, pilot, crackers, &c.; bricks; bridles; brimstone; bristles; brushes; buckles; butter; buttons; cabinet ware; cables; calico prints; candles, wax, and tallow, and spermaceti; canes; cannon; cards, playing; cards, wool and cotton; carpets; cartouch boxes; carts; cheese; chocolate, cider; clocks; clothing, ready made; coaches, chaises, and all sorts of carriages; coals; combs; cooper's work; copper bottoms, and other manufactures of copper; cordage, tarred and untarred; corks; cotton manufactures; cotton yarn; crockery ware; cutlery; drugs; duck; dye-stuffs; earthenware; embroideries; engravings; essences; fancy chairs; feathers; fire arms; fire engines; fire-wood; flax; floor cloths; flour; fringes; fruits, preserved; fur trimmings; gilt wares; glass ware; gloves, silk, cotton, and leather; glue; gold, silver, and plated ware; grindstones; gunpowder; hair cloths; hair powder; hams; hardware; harness; hats; hearth rugs; hemp; hempen goods; houses; ink; ink powder; inkstands; iron ware; iron, wrought and cast; jspanned ware; jewelry; lace, gold and silver; lead manufactures; leaf, gold and silver; leather, tanned, tawed, and dressed; lime;

*See the act, page 120, present vol. of the *REGISTER*. We think that several useful enquiries might have been made which were not thought of, or neglected, by congress.

†Among the persons engaged in manufactures, are to be included all persons of the mechanical professions or handicrafts.

linens, and other manufactures of flax; looking glasses; lumber, including scantling and shingles; malt; maps and charts; marble chimney pieces; mathematical instruments; mercery; millinery; mill machinery; morocco leather; muffs and tip-pets; musical instruments; muskets and bayonets; mustard; nails; needles; oil cloths; oils; painter's colors; paintings; paints; paper hangings; paper, writing printing, and wrapping; parasols; parchment; pasteboard; paste work; pencils; perfume-ry; pewter ware; pickles; pins; pocket books; porcelain; pork; porter; potter's ware; printed books; printing presses; printing types; quills; raw silk; refined sugar; rosin; rum; pens; saddles; sail cloth; salt; saltpetre; satin; sculptured work; sealing wax; segars; sewing silk; ships or vessels; shot; shoes, boots, and other manufactures of leather; side arms; silks; silk shoes and slippers; skins; slates; snuff; soap; spinner's work; spirits; stained paper; starch; stationery; staves, steam engines; steel manufactures; steel, unwrought; stockings, silk, cotton, thread, and worsted; stone cutting manufactures; stone ware; straw manufactures; sugar; tallow; tapestry; tar and pitch; thread; tiles; tin ware; tobacco manufactures; toys; trunks; turner's ware, in ivory, bone and wood; turpentine; twine and pack thread; umbrellas; upholstery; varnish; vellum; vitriol; waggons; walking sticks; watches; wheelwright's work; whips; whiskey; window glass; windsor chairs; wood; wooden ware, woollen manufactures.

No. 7, is the queries to be addressed to persons concerned in manufacturing establishments, as follows:

- | | |
|---|---|
| Name of the county, parish, township, town, or city, where the manufacturer exists. | |
| Raw materials employed. | 1. The kind? |
| | 2. The quantity annually consumed? |
| | 3. The cost of the annual consumption? |
| Number of persons employed. | 4. Men? |
| | 5. Women? |
| | 6. Boys and girls? |
| Machinery. | 7. Whole quantity and kind of machinery? |
| | 8. Quantity of machinery in operation? |
| | 9. Amount of capital invested? |
| Expenditures. | 10. Amount paid annually for wages? |
| | 11. Amount of contingent expenses? |
| | 12. The nature and names of articles manufactured? |
| Production. | 13. Market value of the articles which are annually manufactured? |
| | 14. General remarks concerning the establishment, as to its actual and past condition, the demand for, and sale of, its manufactures. |

Answers to the above questions.—[No. 1.]

No. 8, is a pro forma statement of the amount of persons within the respective districts.

No. 9, is a like statement relative to the aggregate of manufactures, &c. to be derived from the answers to the preceding queries.

No. 10, is to shew the amount of compensation due the marshals respectively, for the duties performed in taking the census, and account of man-
ufactures.

Paul Jones.

FROM THE NEW YORK COMMERCIAL ADVERTISER.

It is a matter of some surprize, in this age of book making, that the world has never been presented with an accurate and authentic account of the life and exploits of this eccentric and chivalrous officer. In the days of our boyhood, we recollect to have read a little six-penny account of his adventures; and many a time and oft, have we listened with wonder and admiration to tales of the superior prowess and desperate courage displayed by him while scouring the coasts of England and Scotland, with his little armament, during the American revolution. But we have never been able to learn more of his real life and character, than what is to be gleaned from tradition, or from the pages of American history, where we believe his name occasionally appears.

An opportunity is now presented to the American public, to avail themselves of a full, authentic, and probably excellent, history of the life and transactions of this brave and extraordinary man. At the last meeting of the New York Historical Society, the following extract of a letter from a lady, (a niece of the hero of whom we are speaking,) dated Edinburgh, March 29, 1820, to her correspondent in this city, was communicated by Mr. Pintard:—

"I have still another favor to beg of you. It has long been to me a matter of wonder, that America has never shewn any disposition to give to the world the history of those brave men who were the first assertors of her rights, and to whom she owes that independence, her sons seem so much disposed to be proud of. I have in my possession a number of important papers, that belonged to my late uncle, the chevalier PAUL JONES. They consist of his correspondence with Washington, Jefferson, Dr. Franklin, Adams, the duke de la Rochefoucault, La Fayette, and, in fact, with all the eminent characters connected with the American revolution. I have either the originals, or else authentic copies, extracted from the records of congress. These, with a memoir of his life, and an account of his campaign in Russia, will make three large octavo volumes. I have been advised to publish them in England, and would have done so, had money been my object: But they contain some bitter reflections against the British government, which, in that case, it would have been thought necessary to suppress, and of which I apprehend the suppression would have essentially injured the work;—my principal motive for giving them to the world, being to exhibit my uncle's character in a just point of view. The favor I have to ask of you, is, to let me know if there is any bookseller in New York, who would undertake to publish them, and what I may expect for them. There is one thing, however, *must be insisted upon*, which is, that they are not to be garbled, but are to be given to the world *just as they are*, without either *adding or diminishing*. You will perhaps think me very unreasonable to expect you to inform me, what I am to get for a work which you have not to show to the publisher. But understand me right. I do not expect that you will be able to name a *certain sum*; but only that you may perhaps, after enquiry, have it in your power to give me a hint of what it is probable I might receive. If you will have the goodness to assist me in this affair, the papers shall be sent to you, addressed as you shall direct, and to be disposed of as you think best; with only *this one provision*—that they *must be published as they are*."

The letter was referred to a committee consisting of Messrs. W. L. Stone, J. Pintard, and Dr. J. W. Francis, to ascertain, if possible, whether it would be practicable to publish the memoirs of the chevalier Paul Jones in this country, and to report the result.

We are sensible that the present is a period of general pecuniary embarrassment throughout the country; and we are sensible also, that the country has been so overrun with subscriptions, that many can hardly endure even the sight of a new proposal. But it does appear to us, notwithstanding these obstacles, that an enterprising bookseller might undertake the publication of this work, not only with perfect safety, but with a fair prospect of realizing a handsome profit. From what we have heard of the talents and character of the fair author of the foregoing letter, [who we presume to be the writer of the memoirs,] we have no doubt the work will be found highly interesting and valuable. The documents it will contain, must, of themselves, possess great interest, as containing many curious facts which have probably never been developed, and also the views and feelings of their distinguished authors, during those days of peril and alarm.

It may well be said of Paul Jones, that he was the father of our naval glory. And who is there, that does not desire to become familiar with the life of the first American commander, who dared to grapple ship to ship with Albion—who, in fact, entered the Thames, and assailed the lion in his den? We should suppose that all the officers of our navy, and in fact all the principal characters in the United States, would eagerly patronize a work like the one proposed.

A cure for hard times.

Extract from the charge of Judge Ross, to the grand jury of Montgomery county, Pennsylvania.

Gentlemen of the grand jury.—I shall take the liberty of saying a few words on a subject which may not seem to come properly under my notice at this time. But, it is so general a topic of conversation, and has been so frequently handled in the newspapers, and in pamphlets, that I think it will not be amiss to introduce it in this place. The subject to which I allude, is, the *hard times*. You are here, gentlemen, from the remote parts of your county, and you have doubtless heard a variety of causes assigned for these hard times. Our legislature have had the subject under consideration—they have talked of a loan office, of stop laws, of a law for great internal improvements; and a great variety of projects have been agitated by them; all to obviate those hard times. But their projects are all visionary; none of them calculated to do the smallest good to the community. Congress, too, have been engaged on this subject; they have thought that some great change in the tariff, or some important measure for the encouragement of domestic manufactures, would help us out of the difficulty. But all this is perfectly idle. These projects don't strike at the root of the matter. I may be singular in my views, gentlemen, but, really, I have thought so much on the subject, that I can't avoid expressing my sentiments, whatever you may think of them. I have no objections to great improvements—I am, by no means, unfriendly to our own manufactures; but then, I think that, in order to cure the evil, we must all act individually. Let the work of reformation begin at home, and I confidently believe we shall soon get rid of the hard times, that are so much complained of. To be call-

ing out for legislative aid, while we ourselves are idle, is acting like the man in the fable, who, when his waggon wheel was fast in the ditch, cried for Hercules to help him, instead of putting his own shoulder to the wheel. We must help ourselves, gentlemen, and if that will not answer, why then we may call for Hercules to assist us.

We are too fond of showing out in our families; and in this way our expenses far exceed our incomes. Our daughters must be dressed off in their silks and crapes, instead of their linsey woolsey. Our young folks are too proud to be seen in a coarse dress, and their extravagance is bringing ruin on our families. When you can induce your sons to prefer young women for their real worth, rather than for their show; when you can get them to choose a wife who can make a good loaf of bread, and a good pound of butter, in preference to a girl who does nothing but dance about in her silks and her laces, then, gentlemen, you may expect to see a change for the better. We must get back to the good old simplicity of former times, if we expect to see more prosperous days. The time was, even since memory, when a simple note was good for any amount of money, but now, bonds and mortgages are thought almost no security; and this is owing to the want of confidence.

And what has caused this want of confidence? Why, it is occasioned by the extravagant manner of living; by your families going in debt beyond your ability to pay. Examine this matter, gentlemen, and you will find this to be the real cause. Teach your sons to be too proud to ride a hackney which their father cannot pay for—Let them be above being seen sporting in a gig or a carriage which their father is in debt for. Let them have this sort of independent pride, and I venture to say, that you will soon perceive a reformation. But, until the change commences in this way in our families; until we begin the work ourselves, it is vain to expect better times.

Now, gentlemen, if you think as I do on this subject, there is a way of showing that you do think so, and but one way:—When you return to your homes, have independence enough to put these principles in practice; and I am sure you will not be disappointed.

Progress of the Arts in France.

Compiled for the Democratic Press, from M. Chaptal's comparison between the industry of France, in 1789 and 1819.

In 1789, the French imported *cotton goods*, to the amount of 26 millions of francs; in 1812, 1 million and a half.

The *cashmere shawls*, of M. Ternaux, are fully equal to those of India. The Angola goats imported lately, promise new facilities to this manufacture.

The manufactures of *linen and of silk*, have been wonderfully improved of late years; and the machinery of Mr Douglass invited into France, by M. Chaptal, has greatly contributed to the perfection of all the manufactures depending on spinning and weaving.

The establishments of the manufacture of *chemical articles*, now excel the English, both in quality and price.

The art of *bleaching*, both with, and without the aid of oxymuriatic acid, has been carried to the highest perfection, not only on linen and cotton but on the pulp of paper. In this way, colours are not only discharged; but paper is also coloured now with the most beautiful tints, at a cheap rate.

Distillation has been brought to great perfection, by the improvements of Messrs Chaptal, Argand and Edward Adam. The first improved the form of the still, by diminishing its depth in proportion to its capacity; the latter saved fuel by his mode of heating the wash, and condensing the spirit of various strengths by a single operation.

During the revolution, the art of making *vinegar* for the table, for manufactures, and for medicine, by distilling wood, and clarifying the pyroligneous acid, has been so improved, as to supply great part of the consumption of this article at the best tables of Paris.

The art of chemically *purifying water*, by the improvement of filters, not merely in the mechanical construction, but in the chemical additions that precipitate the impurities of water, have essentially contributed, of late years, to health and comfort.

The art of extracting the finest and most nourishing of *soups* from the gelatine, contained in bones, were brought to great perfection by M. Cadet de Vaux, —, and the art of *preserving meat, fruit, vegetables, and milk*, perfectly good for years, by the process of M. Apput, is also a present from philosophy to society.

The expeditious mode of *tanning*, of M. de Seguin, is indeed only expedient upon urgent occasions; but the theory of tanning has wonderfully improved the practice of it, by applying to this art, the anatomy of the skin, and the chemical changes that take place in it during the operation of tanning.

In France, for some years past, *paper* has been manufactured of any indefinite length.

The memoir of M. Monge, on the process of felt-ing has greatly improved the *hat* manufacture.

The *metallurgy* of France, now in all its branches, equals the English.

In *porcelain* the French excel all others.

The *stone engraving* of M. de Lestayrie, is daily improving, and promises to afford every scientific work requiring plates, at much lower prices than formerly.

The weather 72 years ago.

It would seem by the following extracts from the diary of one of the most respectable and observing men of his time, who resided in Philadelphia, that our climate has frequently been variable and extraordinary.

1748.

- 11th month, 1st. Extremely cold.
 6th. Do. do. snowed all day.
 9th. A very cold day; found the river fast this morning.
 31st. There was last night a most violent storm of wind and rain—I was surprised when I saw the river, to find it almost clear of ice, and boats rowing to and fro: last evening I saw people walking over upon the ice.

1749.

- 3d month, 7th. Very cool for the season.
 11th. A warm day.
 12th. Very hot weather.
 13th. Extremely hot.
 14th. Very hot.
 15th. Weather cooler.
 16th. Pleasant weather.
 17th. Pleasant weather. *Green peas were plenty at market to day, though at four shillings per peck.—Nat. Gaz.*

Illustration of British Affairs.

Extract from the number of the Edinburgh Review, for January, 1820.

The first great war measure, by which we were to be protected from the evils of the war expenditure, was the new settling of the sinking fund in the year 1793: and when we say, that the whole plan, from the beginning to the end, has proved a mere deception, we mean to impute no improper motives to its authors, but only to state the fact as it ought to be stated—and as it may be shown in a single sentence that it must be stated in order to express the truth: for it is a fact equally decisive and notorious that this sinking fund has been formed ever since the year 1773, wholly out of the loans which have been annually borrowed. The only service it has performed, has been that of enabling ministers to make loans with greater facility, and to persuade the public to bear taxation with more good humor, while it has encouraged a most profuse expenditure, and actually cost the public, for the expenses of the commissioners and office, the sum of 187,000*l*.

"Now let us see what have been the prices since 1797, of the same commodities.

"The prices of the last 22 years have exceeded those of the preceding 161 years by about 100 per cent.

"The taxes are now greater than they were in 1791, by 32,952,674*l*. or something more than two-thirds.

"It appears, that the annual charge for the funded and unfunded debt is greater now, than it was in 1790, by 36,362, 862*l*. and that the peace establishment for the army, navy, ordnance, and miscellaneous services for 1819, exceeds that for 1790 by 13,991,261*l*. Thirdly, and lastly, as to the public debt, it will be found by reference to official documents, that in the year 1792, the whole debt was 238,231,218*l*. and that it amounted, excluding Ireland, to 700,000,000*l*. at the beginning of last year.

"The following may be considered as an accurate exposition of the actual state of our income and expenditure at the commencement of 1819. The total income of the United Kingdom for this year, taking the produce of the taxes as in 1818, would be 54,061,937*l*. which sum, set against the expenditure of 67,759,882*l*. makes the deficiency of the income 13,725,945*l* for the year 1819."

"The grand result of all our finance plans is shortly this—first, that instead of being relieved by the peace from taxation, by the repeal of all war taxes, custom-war duties have been made permanent to the amount of 2,769,000*l*. Excise war duties have been continued to 1821, to the amount of 3,500,000*l*. and they also must be made permanent, to accomplish the object of these resolutions: while, in addition to these war taxes so continued, new taxes have been imposed, estimated to pay into the exchequer the net sum of 3,190,000*l*. Secondly, that instead of an efficient sinking fund of 23,195,900*l*. to reduce the national debt, we have one, on paper, of 5,000,000*l*. but according to the probable production of the revenue, one which will fall very far short of this sum."

"The total expenditure upon the public departments that are employed to manage and audit the public money, after it has come into the exchequer, appears to amount to 1,100,000*l*. a year."

After having witnessed the facility with which the public was led to approve of the application of the sinking fund to the current expenses of the state, we should not be at all surprised to find the

reduction of the dividends become a topic of general speculation, and even a favorite project of finance."

"The gross revenue, after deducting drawbacks and allowances, was 58,000,000*l*. The expenses of collecting was, and still is, something more than 7 per cent."

"In Great Britain, the taxes amount to about 3*l*. 10*s*. a head."

"The first war that occurs will find the country with a capital depressed by the taxes which directly obstruct industry: with a revenue scarcely able to pay the dividends on its debt; and with its debt, not only undiminished, but in all probability augmented."

"Insurrections of the most sanguinary and ferocious nature would be the immediate consequence of any very sudden change in the system of the poor laws; not partial, like those that proceed from an impeded or decaying state of manufactures, but as universal as the poor laws themselves, and as ferocious as insurrections always are which are led on by hunger and despair. Let no man hope to get rid of these laws, even in the gentlest and wisest method, without a great deal of misery, and some risk of tumult."

In all cases the nutritive quality of the food is injured by the artificial ingredients inter-mixed with it; and when these ingredients, as frequently happens, are of a poisonous quality, they endanger the health and even the life of all to whom they are vended."

"Among the number of substances used in domestic economy, which are now very generally found sophisticated, may be distinguished—tea, coffee, bread, beer, wine, spirituous liquors, salad oil, pepper, vinegar, mustard, cream and other articles of subsistence.—Indeed, it would be difficult to mention a single article of food which is not to be met with in an adulterated state; and there are some substances which are scarcely ever to be procured genuine."

"Those, by whom the offence of adulterating articles of provision is committed, are generally creditable and wealthy individuals."

"After a lapse of five or six years, it cannot truly be affirmed that any considerable improvement has taken place in any branch of industry. At this moment they are all nearly as much depressed as ever. Pauperism, instead of being diminished, is rapidly increasing, nor without some very decided change in our domestic policy, is there the least reason to expect any material improvement in the condition of the great body of the people."

"According to the late reports of the committees of the house of commons on the poor laws the average expenditure of 1813, 1814, and 1815, amounted to no less than, 8,164,496*l*.—a sum which the committee states must since have been very greatly increased; and which we believe, would now be underrated at 12*m* millions."

"The conditions of the great bulk of the people—of all who must depend on the wages of labor for support—is at this moment decidedly worse than at any former period."

"It appears, from accounts printed by order of the house of commons, that the gross produce of the revenue of Great Britain, for the twenty years commencing 5th January, 1797, and ending 5th Jan. 1817, amounted to the almost incredible sum of 1,290,182,529*l*. But, besides the enormous le-

vies thus compulsorily wrung from the necessities of the poor, and the overburthened revenue of the rich, an additional sum of about 450 millions of real capital was borrowed by government, and added to our funded and floating debts."

"The sum of twenty two millions—a sum greater than the entire rental of all the land in the empire—is annually drawn from the pockets of the industrious classes, to support that numerous class of persons, whose capitals having been lent to the state, and are, in consequence, destitute of any other means of subsistence."

"A British workman might if he were permitted to buy his food in the cheapest market, purchase a quarter of wheat for 4*s*. or at most 5*s*., but the prohibition against importation, by raising its price to 8*s*., has precisely the same effect, as if he were to pay a direct tax of 30*s*. or 35*s* on every quarter he consumes; and averaging the consumption of each individual at three-fourths of a quarter of wheat, it is really equivalent to a capitation tax of 22*s*. 6*d*. or to more than three times the sum paid by the people of Holland, as a composition for the tax on bread."

"But on the hypothesis that the present income of the united kingdom is equal to 350 millions, it is plain that very little less than one-third of the entire revenue of the industrious classes is swallowed up by taxation, and by the bounty to the growers of corn; or, which is the same thing, every poorman is obliged to labor two days out of the six, not for the benefit of himself or his master, but in order to satisfy the demands of the treasury; and this in addition to one third of the profits of all fixed capital, such as land, machinery, &c. and of professional incomes devoted to the same purpose! Surely it is unnecessary to seek elsewhere for an explanation of the difficulties in which we are involved."

"It is this inordinate extension of the public burdens which has cast down respectable tradesmen, farmers and manufacturers, from a state of affluence and independence, to one of embarrassment, poverty, and misery—which has rendered it next to impossible for a young, healthy, able-bodied labourer to support himself by his unaided exertions."

"Palliatives may delay, but it is not in the nature of things that they should be able to avert the final triumph of pauperism. Nothing but a very great reduction of the demands made by government, and the total repeal of the worst of all possible taxes—the tax on corn, can save the country from the abyss of poverty and misery to which, if it has not already arrived, it is fast hastening."

"The average price of corn in Britain, is more than three times its average price in Kentucky; but a Kentucky farmer, with a capital of 1000*l* would, notwithstanding, derive from it at least as much profit as he could derive from the capital of 3000*l*, or 4000*l*. employed in farming in this country."

"The military peace establishment of Great Britain and Ireland in 1792, was fixed at 27,000 regular troops; and the whole aggregate force employed at home and in the colonies, amounted only to 44,000, and the expense to about two millions.—Now, however, exclusive of a yeomanry force of between 60,000 and 70,000, which had no existence previous to the late war, we maintain 60,000 regular troops in England and Ireland only; and the entire expenses of the military department is at least equal to seven millions!"

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Some of the British papers think that the execution or banishment of "twenty, two hundred, or two thousand persons," will only act upon the present state of things in England as "a casual blood letting," and be wholly ineffectual. It is said—"Threaten a starving manufacturer of England with jails and executions, and he will tell you *'his case cannot be worse'*" Talk to him of altars and fire-sides, and he will point to his cheerless hearth and emaciated family. And speak to him of banishment, and he will reply, "it has no terrors for me."

The Irish papers are filled with accounts of the commission of the most shocking crimes, and the infliction of the most degrading and sanguinary punishments.

A motion has been made and carried in the house of lords, to obtain a list of the salaries and pensions granted to foreign ministers within the last ten years. A great many petitions have been presented from agriculturalists praying for relief, and the further extension of the corn law, as to the minimum price at which foreign grain may be introduced: yet there is some conversation about repealing some of the restrictions on commerce, and of throwing the British market open to a fair competition;—but nothing more will be done than to talk about it. The revenue is so much built upon prohibition and restriction, that they cannot be materially affected without a severe operation on the resources of the government. Mr. Brougham moved in the house of commons, that the droits of the admiralty should be placed at the disposal of parliament—these are vast sums at the command of the king or his ministers. The motion was rejected—155 for, and 273 against it. When the civil list was under discussion, lord John Russell proposed to abolish the offices of *groom of the stool*, *master of the hawks*, &c., but he was voted down by a majority of 89. The king is to be crowned on the 1st of August. Another affair has taken place at Oldham, between the people and the military, in which five of the former were wounded. Sundry persons, who were taken up as implicated in the late conspiracy, have been released without bail, or other punishment, except what they had suffered from imprisonment.

It is stated in a London opposition paper, that the expenses of the coronation of George the IVth will exceed 800,000*l.* sterling. This is hardly possible—there must be a mistake in the figures, we apprehend—but the expense will be enormous.

The poor rates of England now amount to nearly ten millions sterling per annum—or forty-four millions of dollars! It is stated that near Coventry, these rates alone cause a tax of two guineas on an acre of land. Many farms in various parts of the kingdom are let upon the condition that the occupiers shall pay the tithes, taxes and poor rates—and others cannot be taken even upon this condition!

FRANCE.

It appears that two attempts have been made at Paris to blow up the house occupied by the duchess of Berri, by means of gun-powder, prepared for the purpose,—to destroy that lady and the "hopes of France." A person was arrested in the act of setting fire to his apparatus, and several have been taken up as accomplices. The duke d'Angoulême has been publicly insulted—and it was thought that a secret attack had been designed on his palace. Serious symptoms of disloyalty had appeared at Lyons, and the troops refused to act against the people.

In the list of French prelates, eight are above eighty years old, ten are between seventy and seventy-nine; only three are under fifty.—The whole number of bishops is fifty; of whom but seven were created such before the year 1790.

SPAIN.

The meeting of the cortes was looked to with great anxiety, and very important proceedings are expected.

Col. Agüero, one of the four chiefs who united with Quiroga in raising the standard of the constitution at the Isle of Leon, lately visited Madrid on business. He endeavored to enter quietly, but the people were warned of his arrival, and a vast multitude collected and carried him in triumph to his lodgings. The next day, in spite of his remonstrances, they mounted him on a chariot, ornamented with palm branches and drawn by six white horses, and paraded him through the city, the vast assemblage chaunting a national hymn! Thus he arrived at the palace, where he was suffered to descend to pay his respects to the king, to whom he apologized for the manner of his arrival; but the king said, *I enjoin you to condescend to gratify the wishes of these brave people.* After which his majesty ascended the balcony, accompanied by Arco Agüero, and was received with exclamations, a thousand times repeated, *of—long live the king, long live the constitution!*

After this, he was replaced in the chariot, and it was conducted through the principal streets which were strewed with flowers, the houses being decorated with tapestry, &c. as on the great festival days. He dined with the officers of the regiment of Don Carlos, brother of the king, and in the evening attended the theatre—every where the subject of admiration, applause and respect.

No disorder whatever was committed, though the tumultuous joy of the people of Madrid seems to have been unbounded.

What reflections arise in the mind, when for a moment we contemplate these proceedings in honor of Agüero, on one hand—and recollect that a few days since the same streets were paraded in the silence of death by the hell hounds of the accursed inquisition, on the other!—and mentally hear the hymn of liberty sung by 50,000 voices, that lately trembled in pronouncing the word, as connected with the emancipation of Spain! Thanks be to God, for this release of a gallant nation from civil and religious despotism! Holy truth is at length allowed a resting place in this late benighted land.

The following is the letter written by Don Antonio Quiroga to col. Don Nicholas de Santiago, which has given such offence to the editor of the Boston Gazette, as noticed in our last REGISTER.

San Fernando, 1st April.

Citizen—Considering that there is no title more honorable than that of soldier, when the soldier combats for the defence of his country, I hope you will be so good as to inscribe my name as such amongst the national militia of Cadiz.

The appointment of general in chief of the national army, whose functions I perform at present, does not permit me to enter upon active service, which I would otherwise consider as my duty; but I hope that the distinguished corps to which I belong will always consider me as effective and under its colors.

That God may preserve you many years, is the wish of your fellow citizen, QUIROGA.

☞ The chiefs of the *insurgents*, and who, if they had not succeeded, would assuredly have been put to death as traitors, but on whom the

king and the people of Spain are now conferring all possible honors, are—*Antonio Quiroga, Philip Arco Agüero, Raphael Riego, Demetrius O' Daly, and Lopez Banardos.*

The Spaniards, however, shew the difference between *neum* and *tuum*—their own revolution, is called "the holy insurrection of Spain,"—that of South America, "the criminal insurrection of America."

GERMANY.

In the free town of Bremen, it has been forbidden to publish the constitution of the cortes, except in the Spanish language! The falling of a leaf makes tyrants tremble.

The elector of Hesse, whose dominions are of less extent than some of the ponds or lakes in the United States, lately lost his wife—for princesses as well as gypsies, die and rot;—whereupon he issued the following decree for the regulation of the tender-hearted Hessians! It is a specimen of the superlative impudence of princes: "That from this day, under pain of my displeasure, and a severe punishment, all my subjects abstain, for the space of four weeks, from all amusements, dancing, theatres, and other public entertainments; music of all kinds is likewise forbidden, under similar penalties, with the exception of the organ in churches. My subjects, during this interval, are not permitted to celebrate *solemn nuptials*, accompanied by festivities and music. Given under our signature, and signed with my seal, at Cassel, this 17th January, 1820.

WILLIAM, ELECTOR."

Vienna can boast at present of 250 living authors. It contains 50 libraries, 27 presses for books; for the arts, music and maps, eighteen presses; a court and state press, and 10 lithographical establishments.

There have arrived at Trieste the last year, 2186 vessels, and 2132 have sailed from that port.

HUNGARY.

The kingdom of Hungary, with the provinces belonging to it, contains at present 7,600,000 inhabitants; of which 5,715,000 are Catholics, 6018 Greeks, 1,150,000 Protestants and 135,000 Jews.

PRUSSIA.

The poor despot of Prussia has prohibited every allusion to Spain in the journals of his kingdom, and interdicted the circulation of *English* newspapers. To make a people good slaves, they must be kept ignorant.

DENMARK.

It is said that, during the last eight years, not a single individual has been attacked by the small pox in the states of Denmark, all the inhabitants having been vaccinated by order of the king.—From this fact it is evident that the small pox, which has committed greater havoc than the plagues and wars, might be banished from the face of the earth. Vaccination itself would then become useless.

RUSSIA.

The new system of education (the Lancasterian) is making great progress in Russia. A great number of schools on this plan have been established for the children of the soldiery. Even in Siberia, there is an establishment of the kind for training teachers who are sent thence into different parts of the empire. In the neighborhood of Odessa, in the south of Russia, there are schools for more than ten thousand Russian troops. The Cossacks particularly, are said to make extraordinary progress in reading and writing.

The count Romanzow is fitting out, at his own expense, new expeditions of discovery. One is

destined to cross from Asia to America upon the ice, to the north of the country of the *Tschuktschians*; the other is ordered to ascend one of the rivers which have their mouths on the north-west coast, or Russian America, and to penetrate by the unknown region which lies between the frozen cape and the river Mackenzie.

An account of a voyage to Nova Zembla, by lieutenant Lasarew, of the imperial navy, is about to be published. His vessel reached 73° 26' N. latitude. The sufferings of her crew were "indescribable." The coast explored seemed to be covered with "eternal" ice and snow, and no sort of vegetation appeared—nor was any living thing seen, though the polar bears may be supposed to have a home in this dreary climate.

A letter from St. Petersburg of the 22d of March, says that a new expedition for northern discoveries will be prepared during the approaching summer. The ships will sail from the mouth of the Lena for the Icy Sea, for the purpose of examining the coasts of Siberia, and the islands which were discovered in those regions some years since. As it has not yet been discovered whether these reputed islands do not form part of a continent, and have been hitherto visited only in winter, it will be very interesting to ascertain at what point the ice permits an approach to them during the summer, and to determine their extent.

The Circassian and several tribes on the Caucasus, have received from the Bible Society of Warsaw, Bibles in their language; but unhappily they now make them into cartridges.

The minister of "public worship and instruction," has published a report, exhibiting charges against the Jesuits, and recommending their immediate expulsion from the empire. The emperor has approved of the report, and ordered that it shall be carried into immediate effect. The officers charged to execute the order, are directed to pay every respect to the aged and infirm Jesuits.

London, April 19. There are no truths in *Paris on dit*, that the emperor of Russia is forming an army on the Turkish frontier, any more than that he is forming one on the Rhine, or in the moon. The policy of this monarch is radically pacific. It is very true that he keeps on foot a large army,* but in times of peace a great part of the men are absent on long furloughs, and are occupied in handiwork and many handicraft arts.

GREECE.

All Greece applauds the zeal and patriotism of the inhabitants of Scio. This place is regarded by all the islands of the Archipelago, as the new Athens. The great college at Chios is the general assembling place of the studious youth of all Greece. The number of pupils at this college amounted in the course of the last year, to seven hundred. At the end of the present year it will exceed a thousand. Among other distinguished professors, is Mr. Bombas, who has been for some time in Paris and visited colleges there. He intends publishing a work upon the elements of chemistry, in the modern Greek language. There has been a printing press in Scio for some time. The most important

*The following was its force on the 1st January, 1820.

Infantry	613,722
Cavalry	118,141
Artillery	27,632
Garrison battalions	77,000

Total 836,595

event in the annals of modern Greece, is the establishment of a public library, which already contains 30,000 volumes.

EGYPT.

The last news from this country, of inexhaustible curiosity, contains information respecting the labors of that magnificent undertaking, the grand canal of Alexandria. Already the primary effects of it have given an impulse to agriculture and industry, such as might be expected from it. The culture of cotton, of the sugar cane, and of the mulberry tree, is beginning to assume a degree of activity, as also the rearing of silk-worms; and some important new manufactures are already at work, holding out the promise of future commercial prosperity.

TURKEY.

We have a long detail of the insurrection at Aleppo, and its subsequent siege and capture by the troops of the Porte, under several pachas. The heads of many of the chiefs of the insurgents have been sent to Constantinople, which were exposed over the gates of the seraglio. But tranquility does not appear to be fully restored—we only wonder that the grand Turk has so long been able to preserve the integrity of his dominions.

HAYTI.

President Boyer is inviting the free blacks of the United States to emigrate to Hayti, in preference to Africa, promising them protection and assistance. An address to the Haytians on this subject says—"Our past sufferings—our unexampled efforts to regain our primitive rights—our solemn oath to live free and independent—the happy situation of our island, which may be justly called the queen of the Antilles—the astonishing fertility of its soil, which makes it the garden of the western archipelago—the progress of its inhabitants in civilization, and in some of the fine arts; our wise constitution which insures a free country to Africans and their descendants; all lead us to believe that the band of Providence has destined Hayti for a land of promise, a sacred asylum, where our unfortunate brethren will, in the end, see their wounds healed by the balm of equality, and their tears wiped away by the protecting hand of liberty."

CANADA.

Quebec, June 12.—Reported this year, from sea, to 10th June inclusive, 282 vessels, 74,473 tons—arrivals in 1819 up to the 1st July, 311 vessels, and 75,564 tons.

CHRONICLE.

Col. Trumbull has agreed with Mr. Durand, of New York, to engrave his celebrated picture of the "Declaration of Independence;" his other great painting of the "Surrender of Cornwallis," is nearly completed.

Counterfeit bills, of the bank of the United States, hitherto noticed and described, of the denominations of 50 and 500 dollars, begin to reach our cities from the interior. They are all of the parent bank, and so well done, as to render it unsafe for almost any one to receive notes of that bank, of those denominations, unless assured of the responsibility of the person tendering the same.

Counterfeit bills of the Mechanics' bank of New York, of three dollars—are as "plenty as blackberries," and so well executed as to be difficult of detection when carefully compared with the genuine notes!

Union Bank of Maryland. Thomas Ellicott, esq. has been appointed president of this institution, vice Henry Payson, esq. resigned; and the latter was unanimously elected by the board a director

to supply the vacancy caused by the election of Mr. Ellicott to the presidency. The duties required of the president interfered with Mr. P's private business, and caused his retirement from a situation which he has for several years filled with so much honor. We make this explanation, because, lately, when presidents and cashiers of banks have resigned, it was for the reason that they were about to be dismissed for mal-conduct.

A lottery has been authorized in Connecticut to raise the sum of 15,000 dollars for the bishop's fund!

Privateering. The pilot boat *Star*, Preble, arrived at Baltimore on Wednesday last from the capes, brought up thirteen Spaniards, who had been put on board by a patriot brig commanded by captain Almeida. The men belonged to the Spanish barque *St. Jago*, from *St. Jago de Cuba* for Baltimore, which vessel had been captured in five fathoms water and taken off by the brig *The St. Jago* is said to have had on board \$5000 for merchants in Baltimore, under charge of an American passenger.

Outrage. The American schooner *Mary*, from Havana for Charleston, was boarded by a vessel under the flag of Artigas, and a passenger, the son of Mr. Coppinger, governor of St. Augustine, (being recognized) he was carried off and detained—for a ransom, perhaps.

Fires. Between thirty and forty houses, a great many of which were of wood, were destroyed by fire at New-York, on the morning of the 22d ult. The loss of property is estimated at from 75 to 100,000 dollars; of which 42,000 were insured. The firemen were active, but there was a want of water.

One third part of the beautiful city of Troy, N. Y. was also consumed on the 20th ult. Some of the best houses and stores fell a prey to the flames. The amount of buildings burnt was about 120, and the loss estimated at nearly one million of dollars.

Internal Improvements. In consequence of the facilities afforded by that part of the great canal which is completed, plaster of Paris, or gypsum, which abounds in the western parts of New-York, is now selling at Utica at from \$1.50 to \$2 per ton, and it is supposed that any part of that great tract of country lying on the Hudson, may be supplied with it at from 4 to 5 dollars! Onondago salt will be sold at Albany at from 31 to 37 cents per bushel; and a bushel of wheat, which formerly cost 44 cents to transport it to that city, will be brought there from the interior, for the small sum of five cents. In truth, this canal, when finished, will, seemingly, bring the most remote places, even the most distant points of the great lakes, into the neighborhood of the port of New-York.

Missouri expedition. The troops in camp at the Council Bluffs are said to have suffered exceedingly—of 7 or 800 men, 100 have died.

Marriage promise. In Somerset co. New Jersey, a young lady lately received the sum of \$1250, as damages for a breach of a promise of marriage.

Affair of honor. Two silly persons in Virginia, neighbors and relatives, and until very recently intimate friends, having differed about some trifling matter, agreed to test the reason of the thing by shooting at each other with muskets loaded with buckshot—and, being good marksmen, they succeeded in killing each other. One of them died on the spot, the other a few hours after the affair.

Oil stones. A great bed of stones, resembling the Turkey oil stones, and said to be superior even to them for sharpening edge-tools, has been discovered near Easton, Pen.

Com. Macdonough, being at Plattsburg recently, was invited to and partook of a public dinner there, judge Jonas Platt presiding.

Henry Baldwin, esq. was complimented with a public dinner at Philadelphia last week, as an evidence of the sense of the people of his zeal and ability as an advocate of domestic manufactures. The company was numerous and very respectable. Some of the toasts drank were excellent. Among them were these:

Independence—Arts must preserve, what arms achieved.

Agriculture—It is the interest of the agriculturist, that the manufacturer should be encouraged to sit down beside him.

Manufactures—Essential to the independence of a nation—and the comfort and happiness of her citizens. Let the government protect manufactures, and manufactures will protect the government.

Commerce—The most commercial nation in the world, is also the most manufacturing. "Let facts be submitted to a candid world."

Agriculture, manufactures and commerce. Nurseries of the militia, the army and the navy; each strengthening and strengthened by the other.

Henry Baldwin—When we meet public men, who sacrifice merited rewards and public favor, to duty and conscience—let us "grapple them to our souls with hooks of steel."

A fine political lesson is contained in the following volunteer toast, drank as above:

Public morals—A dextrous though depraved administration may rescue the finances of a country—it requires virtuous, wise and independent men to preserve its morals.

Dr. William Darlington, member of congress from Pennsylvania, was invited to a public dinner by his constituents at West Chester, in testimony of their approbation of his conduct; at which, among others, the following toasts were drank:

Pennsylvania—The birth place of freemen only. The conduct and votes of twenty-one of her delegation in the late congress, ought to endear them to the nation. What pity 'tis we cannot say so of the residue.

Missouri and the slave states—May they be as ready and willing to protect themselves against their slaves, without the aid of the north, as they have been willing to increase their danger.

Domestic industry and economy. The best cure for the hard times.

Our countrywomen—Fair, modest, and virtuous; and never so lovely, as when employed in domestic duties.

After Dr. D. had retired—

Dr. William Darlington, our member of congress—His virtues as a man, and his firm, patriotic, and enlightened conduct as a legislator, have acquired for him the unreserved confidence and regard of his constituents.

Mr. Clay partook of a public dinner, given in honor of him and in approbation of his proceedings in congress, at Lexington on the 7th ult. The company was numerous and respectable. Among others the following toasts were drank:

Henry Clay—The friend of liberty, and the able advocate of the rights of man; we regret the loss of his eloquence and usefulness in the councils of the nation.

[*Mr. Clay* then rose, and expressed his grateful sense of the honor he had received, and of the affection and regard which had uniformly been manifested towards him by his fellow citizens. Nothing,

he observed, but a sense of duty the most imperative to himself and his family, could induce him to abandon a situation so agreeable to him as that which he had so long occupied in their service.—He was happy to believe, however, that, although in zeal and fidelity he would yield to none, talents, greater than he could devote to their service, might be enlisted by them. He then alluded to the three great topics, which had of late principally claimed his attention in the councils of the nation viz, internal improvement, domestic manufactures, and the great cause of freedom in South America. The first object had not been completely obtained, in consequence of honest doubts and scruples respecting the constitutional powers of congress in relation to it; yet much had evidently been done towards it by extending a belief of its importance, and increasing the disposition to promote it. The value of domestic manufactures, especially to us in the west, *Mr. Clay* dwelt upon with considerable emphasis, and expressed a conviction that their encouragement was absolutely essential to our prosperity. On the subject of the struggles in South America, he gave, at some length, his reasons for the zeal he had displayed. He believed the patriots of that country capable of freedom, he believed they deserved it, and he thought it should have been the pride as well as the duty, of this country, to have been first to acknowledge their right to it. On this subject he had been supposed materially to differ from the executive. It now appeared that the difference was rather as to the time and the mode, than as to the substance. The executive had been endeavoring, by negotiation, to procure a simultaneous acknowledgement, by the European powers and ourselves, of the independence of South America, while he had been anxious that we should act without delay and without concert with other nations. The only difference therefore was that the executive had been more *prudent* perhaps—at least more deliberate than he would have been—that the executive had deemed it proper to pay some regard to the views and wishes of other nations, while *his* desire had been to pursue a course exclusively American, uninfluenced by the policy of my lord Castlereagh, count Nesselrode, or any other of the great men of Europe, but it appeared, nevertheless, that both he and the executive were directing their efforts to the same great end. *Mr. Clay* then again alluded to his reasons for declining a re-election, and observed that he had resolved to retain for a time the privilege of resigning or not, as circumstances might require, the remainder of his present term; he again feelingly expressed his sense of the encouraging support and flattering degree of confidence he had uniformly received from his constituents and the peculiar satisfaction he felt at the prospect afforded, by the characters of those brought before the public as candidates for the office he declined, that no injury would result to the community from his retirement.]

Missouri—She will now enter the union in all the majesty of acknowledged equality and unfettered independence.

The State of Maine—Not less welcome into the Union, because she is descended from Massachusetts—whose virtues she will imitate, and whose faults she will avoid.

The advocates of the tariff in congress—They understood the true interests, and ably asserted the proper policy of the country.

Domestic manufactures—The government which refuses to promote them, is unworthy of the confidence of the people.

Mobile is becoming a place of great importance; about 10,000 bales of cotton have been shipped from this port in the present year, and 6,000 remained on hand. This shows an increase of 10,000 bales since last year; and it is calculated that at least 10,000 more will be shipped next year than in the present.

New wheat—A cargo of new wheat from North Carolina, of 1200 bushels, was sold in Philadelphia, on Monday last, at 94½ cents cash.

The eclipse. The astronomers in England are quite busy in calculating the eclipse of the sun, which will take place on the 7th of September next. The eclipse will be visible over an extent of more than 4,000,000 square leagues, a surface nearly equal to a sixth part of the earth, and resembling a kind of oval of about 7,500 leagues in circumference; comprising all Europe, the western part of Asia, all Africa as far as Monopota, and a part of North America. The eclipse will last three hours.

Indian population. It appears from a statement in the Cincinnati Gazette that the Indian tribes inhabiting the province of Texas, amount to about 25,000 souls, and that they can bring into the field 5000 warriors.

New-York. Philip Church, esq. has conditionally purchased all the lands of the Holland Land Company in that state. The amount to be paid is five millions of dollars, in 40 years, at 4 per cent. interest, annually.

Buffalo, June 18.—The steam boat Walk-in-the-water left this place on Saturday morning last, for Mackina, with a full freight, and about 50 passengers, among whom are col. Wool, inspector-general of the northern division, and major Delafield, attached to the boundary commission. We understand that her freight consisted principally of goods belonging to the American Fur Company, amounting in value to upwards of \$100,000.

Norfolk, June 23. The seamen who were stated in our last to have been taken from on board the brig Wilson, and sent up to Richmond for trial, on a charge of violating the laws of congress for the prevention of foreign enlistments, underwent an examination before chief justice MARSHALL, (the morning after their arrival in Richmond) who remanded them for trial at the November term of the district court, and they were accordingly brought back in the steam boat Richmond, the same day, and recommitment to the jail of this borough. *W. S. Lacoste*, the landlord spoken of in our last, who was also in custody, in consequence of being charged with having procured the illegal enlistment of the men, was acquitted for want of evidence of the fact. The chief justice [of the U. S.] dispensed with all unessential formality on this occasion, and held his court for the examination of the prisoners on board the steam boat, which lay at Rockets, and to which place he repaired on foot, a distance of about two miles from his residence. We mention this incident (unimportant in itself,) as bespeaking a nobleness of mind and character in that truly great man, which all the pomp and ostentation his dignified station might have warranted, could never have developed.

Cincinnati, June 15. On Saturday last, in digging the well of Mr. Wright, near Harrison, in this county, near a mile from White water, and about 14 feet from the surface. In a bed of rounded limestone pebbles, a living frog was dug up, which, in a short time, hopped away as nimbly as if he

had been but a year old. There are trees contiguous, and in lower ground, more than 500 years old, which have evidently taken the places of others of equal growth; so that this frog had probably lain buried for 1000 years.

LAW CASE. In the circuit court of the District of Columbia—June term, 1820. Usury—Gaither vs Lee.

This was an action brought by the plaintiff against the defendant to recover the sum of ——— dollars, under the following circumstances: A bill was drawn by John Wells, jr. in favor of James Hodnett, on the defendant, payable ——— days after date. This bill was regularly accepted by the defendant. It further appeared in evidence, that the payee of the bill, being in want of funds, applied to his agent, William S. Nicholls, to raise money upon it by getting it discounted for him. Nicholls applied to the plaintiff, G. R. G. who agreed to advance the money on the bill, at a discount of 4 per cent. per month; which the payee of the bill, by his agent, W. S. N. agreed to take. The bill was not paid by the acceptor when it became due, was regularly protested for non-payment, and this suit was instituted against the acceptor to recover amount of the bill. Suits were also brought against the maker and payee of the bill. The defence set up by the drawer of the bill in this case was, that the contract was usurious: (For it must be observed that the above defence was not made by the defendant, W. Lee, but by the drawer, for whose accommodation the bill was accepted). It was, on the other hand, contended, that the bill was fairly sold in market, and not loaned, and that the plaintiff could not, and did not know to whose use the money was to be applied. Upon argument, it was decided that the contract was usurious, and that the plaintiff was not entitled to recover in this suit. A verdict was accordingly entered for the defendant. [City Gaz.]

LAW DECISION. Frankfort, Ky. June 8. On Saturday last the United States' circuit court, sitting in this place, gave their opinion upon the constitutionality of the replevin law, passed by the legislature of this state at their last session. From those who heard the decision, we are informed, that the judges affirmed the power of the state to pass a replevin law, and also the constitutionality of the feature of the law which requires an endorsement that Kentucky paper will be taken, or in a case of a failure to do so, gives a replevin of two years. But they declared that so much of the law as allows a sale of property taken under execution in certain cases, on a credit, is unconstitutional.

The former part of this decision was founded on a distinction between the contract and the law for enforcing its observance, and on the principle that the state may vary the latter at will without impairing the obligation of the former. The latter part of the decision was founded on the grounds, that, to compel the creditor to take one man's obligation in discharge of another's debt, impairs the contract, by changing the terms and the parties, and, in effect, makes the bonds of individuals a legal tender, contrary to the constitution. [Argus.]

Another revolutionary hero gone!

Died, in Washington, on Tuesday night last, aged 66, general John Gasaway, a distinguished revolutionary hero.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The grand celebration of the anniversary of the declaration of independence at Baltimore, on Tuesday last, received a high degree of interest from the presence of CHARLES CARROLL, of Carrollton, one of the four survivors of those who signed that far-famed instrument; he took a part in the procession, supported by col. John E. Howard and general Samuel Smith, who maintained with their swords what the congress decreed.

Dr. Watkins, who had been appointed to read the declaration of independence, on receiving from Mr. Carroll the copy which he had borne in the procession, prefaced a performance of the part assigned him, by the following elegant and feeling remarks:

"The committee of arrangement having made it my task, upon this glorious occasion, to read the declaration of independence, it was not my design to have prefaced it with a single remark; but, under circumstances so well adapted to inspire a glow of enthusiasm in the coldest bosom, and to give to the proceedings of this day an interest, which cannot fail to be felt, and remembered, to the end of our lives, I must be pardoned for giving utterance to the emotions which they excite.

"Few, very few, of those whose hearts swelled with the triumph of patriotism, when this declaration first received the sanction of a nation's will, now survive to participate in the blessings of their own creation. One of these few, our own representative, silvered o'er; indeed, and trembling with age, but still cherishing in his heart the remembrance of that proud day, when his name was enrolled among the guardians of our infant independence, now sits in the midst of us:—The same hand which, forty-four years ago, traced upon this immortal scroll the name of CHARLES CARROLL, of Carrollton, now presents it to me. Who could witness such a scene unmoved? Who could stand in the presence of the venerable patriot, and not catch the influence of that holy flame, which filled, illumined, and inspired him, in 1776?

"But I am trespassing upon the province of one, whose rich and animated eloquence, will do more ample justice to the subject—I proceed, therefore, to my task."

Memorial of general Jackson.

(Printed by order of the senate of the United States.)

The memorial of Andrew Jackson, major-general in the army of the United States, and commander of the southern division.

TO THE HONORABLE THE SENATE OF THE U. STATES:

On the 18th of December, 1818, your honorable body resolved, "That the message of the president, and documents relative to the Seminole war, be referred to a select committee, who shall have authority, if necessary, to send for persons and papers; that said committee enquire relative to the advance of the United States' troops into West Florida; whether the officers in command at Pensacola and St. Marks were amenable to, and under the control of Spain; and, particularly, what circumstances existed to authorize or justify the commanding general in taking possession of those posts."

In conformity with this resolution, a select committee of five persons, of your honorable body, Vol. XVIII.—24,

was appointed, who, on the 24th February, 1819, made a report.

The committee had ample time for a correct examination of the subject submitted to their consideration, and the means by which to have been fully satisfied of the innocence of your respondent; yet, in their report, has he been accused of crimes against the laws and constitution of his country. Upon a review of that document, your respondent is free to declare, that both the narrative of facts, and the arguments deduced from them, are unsound and erroneous. The incorrect impressions with which the committee seem to have labored, have, in the opinion of your memorialist, given to this subject a distorted aspect, and thrown around it a deceptive coloring.

With striking a deadly blow at the liberty of his country, and with acts of wanton usurpation, which, for their enormity, would vie with the most absolute despots—with the directory of France, during their short career of madness and folly, has your respondent been charged. These accusations have for their object, the rendering your respondent obnoxious to his fellow citizens. Still, he will not so far forget the duty he owes himself, and the respect due the senate and the American people, as to indulge recrimination. It is not the mean by which truth can be arrived at, or the cause of justice and impartiality promoted. But, to vindicate himself from reproach, to ward off unmerited imputations, and to stand in opposition to a report of a committee of your body, which casts the severest censure, is a right secured to him, because it is the right of every citizen.

With all the respect, therefore, which is due to an august branch of the government, but with that frankness and sincerity which conscious innocence demands to assume, does he present himself. It is a duty which he owes to himself, to his office, to his family; nay, to his country, for which he has encountered privations, and whose interest has always been dear, and paramount to all other considerations. In doing this, he will not depart from that respect which is proper to be observed; nor will he hesitate to believe, but that the senate, on an impartial examination of the facts, will come to conclusions different from what their committee have arrived at.

The manner in which the enquiry was conducted by the committee is believed to have been novel; a mass of testimony, tending seriously to affect the reputation of an individual, was collected; and although it was proposed, yet was an opportunity denied him, of appearing before them, to offer any statement or explanation in his power, in relation to those subjects upon which doubts and difficulties might arise. He was deprived, by this refusal, of the privilege of confronting his accusers, and of interrogating and cross-examining witnesses, summoned for his conviction. Such testimony, only, as the committee chose to select, was heard, and when published to the world, declared a language different from what the witnesses intended.

By refusing the accused an opportunity to confront and cross-examine witnesses, how easily may be indulged in rancorous invective, and occasions sought to vent malignant and implacable resent-

ments. Your respondent does not pretend to assert that any thing of the kind occurred during the present investigation; but, has barely adverted to it, as forming a portion of the evil consequences which might arise from so informal a method of enquiry. To adopt such a course, is to prostrate the rules of judicial proceedings, to violate every maxim of justice, and to trample down all the sacred guarantees of the constitution. He has been taught to believe, that, agreeably to the provision of our *magna charta*, every individual was secure in his life, liberty, property and reputation; and that he could not be tried before any constituted authority of the nation without being heard in his defence—permitted to introduce exculpatory evidence—to cross-examine and confront his accusers. This is one of the choicest fruits of our republican institutions, and is an essential preservative of liberty; it should be guarded with vestal vigilance, and for no purpose, whatever, subjected to violation by any branch or department of the government. In its maintenance there is safety; but danger in departure.

The committee, whilst adverting to the origin of the Seminole war, have omitted to enumerate the Spanish and Indian aggressions on our rights, as a justification of the measures which were adopted in its prosecution. They have rather employed palliatives for the outrages of the enemy, and given an aggravated aspect to the measures which were adopted for the peace and security of our frontiers. Add to this, the *manner* in which the testimony was collected—the misconception of facts, and incorrect arguments contained in the report—the time at which it was published, and the style in which it was composed, and your respondent cannot forego the belief, that it evinces an hostility to the executive, and to the military officers under his command.

It is a subject of no small surprise, that this spirit of opposition should have diffused itself after the luminous arrangement of facts, with the conclusive reasoning and inferences arising from the laws of nations, and the United States, by Mr. Secretary Adams; as well as the ample and satisfactory discussion in the house of representatives, the great inquest of the nation. Moreover, congress had made provision for a vigorous prosecution of the Seminole war, in the spring of 1818, in conformity to the suggestion of the president, in his message in the month of March, when he detailed to them every information in relation to that subject. The citizens of Georgia and Alabama had made repeated calls on the general government for protection; and, with a full knowledge of all the circumstances touching the causes and progress of that war, congress authorized the calling out an additional brigade of militia, and made liberal appropriations for the payment of the Georgia troops then in service. The president, too, who is commander in chief of the army and navy of the United States, and who should be the proper judge to determine whether his orders be faithfully executed, had made the acts of his officers his own, not only by the express authority which he had conferred, but by subsequent adoption also.

With a large majority of the people of the United States, the defensive measures adopted by the government, as also the reasons by which they had been governed, were entirely satisfactory, in consequence of its being distinctly perceived, that no other course could have been pursued which would have secured the indispensable purposes for which the Seminole war had been prosecuted. That those measures should be denounced as a violation of the laws and constitution, by those very persons who

originally gave them their suffrages, is certainly calculated to excite the astonishment of every impartial observer.

Under such circumstances, it was to have been anticipated, that all controversy, relative to the agency of your respondent in giving rise to the war, would have been completely put to rest. It was confidently expected, that he would have escaped the crimination of your committee—reproaches which, if sanctioned by your honorable body, are little inferior to cashiering: besides, no instance is to be found on record, where a similar course was adopted in relation to any of the Indian wars, in which the United States have been engaged.

After all the above circumstances had transpired, and it was supposed that the subject of the Seminole war had been finally disposed of, in the house of representatives, your committee took it up with avidity, prosecuted it with an assiduity that was unexampled, and animadverted upon the conduct of the executive, and his official agents, in a manner which it is believed to be altogether strange and novel. By reiterations of mal-conduct, they seem to have evinced a disposition to stamp upon the whole transaction, and those connected with it, infamy and disgrace.

Should the time ever arrive when a majority of any of the superior tribunals of the nation, influenced by party feelings, shall proceed to criminate a public officer, or effect his removal, in order to create a vacancy, or to gratify the ambition of a favorite partizan, then may private resentment, and the most angry passions, acquire an unbounded and dangerous control over their proceedings. Every sentiment of justice and humanity will be completely stifled, as well as all regard for the constitution and laws. The patriot will have ample cause to tremble for the honor of his country, and the perpetuity of her republican institutions. The venerable fabric of our liberties, which has been consecrated by the blood of our heroes, and the wisdom of our sages, will be imminently endangered, if not entirely buried in ruins.

That the charges preferred should have been published to the world, at a time to preclude all investigation, is a circumstance but little calculated to impart consolation, or to quiet the alarms of reputation assailed. No other sentiment can be indulged, than that it was intended, by counteracting the decision of the house of representatives previously made, to produce an unfavorable impression on the public mind, before any thing could be offered as an antidote to the impressions it was intended to disseminate. Twelve months have almost elapsed, since the publication of the report; all investigation has been necessarily postponed, and hence has additional, unmerited injury been sustained. The effect has been to excite prejudice, and thereby prevent that impartial examination which is so essential to correct determination. Calumny has been aided, suspicion left free to act, and the means of exciting public odium amply afforded. Resting on the eternal principles of truth and justice, and claiming for himself the high prerogative secured by the constitution, this respondent asks to appear in his own vindication, and to submit the ground of his defence, and the "*motives*" by which he has been actuated.

The first consideration which presents itself, is the authority under which your committee acted. Three propositions only are contained in the resolution of your honorable body; upon the second of which no report has been made, nor has your committee stated "what circumstances existed to au-

thorize or justify the commanding general in taking possession of the Spanish posts." Instead of confining themselves within the pale of their powers, they have travelled over the whole ground occupied by the house of representatives, in search of new subjects of inquiry, not before touched on or embraced within their powers.

So far as the committee have embraced, within their investigation, the original causes of the war; the withdrawal of the regular troops from the frontiers of Georgia; the employment of volunteers and friendly Indians; the execution of Arbuthnot and Ambrister; the order to take possession of St. Augustine, and the reasons and motives of your respondent in the conduct and management of the war, it is believed to be an act of supererogation, and a departure from sound practice. This objection is not made by your respondent upon the ground that he considers his conduct vulnerable, or from a wish to elude enquiry; but is barely mentioned as presumption of the strong disposition of your committee to affix censure upon his motives and actions.

Upon a careful examination of the *discretionary* orders which were directed to your respondent from the department of war, there can be no question but that they authorized and justified every measure which was adopted during the Seminole war, and should, at once, have acquitted him of all censure and responsibility. He was ordered to engage in *offensive* operations—to bring the war with the Seminoles to a *speedy and successful* termination, with *exemplary punishment* for hostilities so unprovoked; and to establish a peace on such conditions as would make it *honorable and permanent*. He was, in effect, charged with the management of the war, and vested with the powers *necessary* to give it effect. No orders could have been more ample, as to the selection of means, as well as to their application.

The massacre of Mrs. Garret and children, and the butchery of lieutenant Scott and comrades, your respondent is informed, were the events which induced the government to order him to take command of the operating army, and to prosecute the war with vigor and effect. They had determined to abandon the cautious and defensive policy hitherto adopted, and to pursue a new system of operations against the enemy. The orders directed to your respondent and general Gaines, subsequent to those tragical events, were entirely different from former ones; inasmuch as they were peremptory as to carrying on operations in *Florida* against the Seminole Indians.

The first order to your respondent had no reference to those issued to general Gaines, save that of the same date with his own, which was directed to him at Amelia Island, requiring his co-operation in the attack upon the Seminoles. In no part of it was a reference to any previous order to your respondent, or to any other person, pointing out the most advisable means to be adopted, or limiting him in their choice or application. And even had the orders of general Gaines been obligatory, as the case which they contemplated never occurred, they must entirely have lost their force and effect. An order to perform a particular service, or to effect a specific object, without any limitation as to the means to be employed, leaves, it is conceived, an entire discretion with the officer, as to their character and application—it then becomes a general power. It is also believed to be true that the limits of such an order cannot be transcended, without an entire desertion of the object contemplated.

The orders of your respondent completely superseded those directed to general Gaines; and if so, he must stand acquitted of the high charge of having been guilty of their violation. Yet, if any doubt could exist upon this subject, the subsequent approval of the measures and motives of your respondent, by the executive of the United States, completely settles all controversy.

In the first page of the report, an effort is made to induce a belief that the treaty of Fort Jackson was negotiated by your respondent, and that the hostilities of the Seminoles proceeded from its unjust and tyrannical demands. Upon this branch of the subject, your respondent begs leave to remark, that the general government had some time previously settled the terms of capitulation, and your respondent, not as a commissioner or negotiator, but as the conqueror of the country, received their submission upon those terms—terms which demanded the *surrender of their prophets, as well as the instigators of the war*.

Those Indians, after being routed at Hoithlewal-lee, in April, 1814, fled to Pensacola, where they were protected, clothed, fed, and supplied with munitions of war, by the Spanish authorities. They never were parties to the treaty at Fort Jackson; and however they might have been dissatisfied with the conditions, as demanded by the government, their dissatisfaction and hostility were excited by Spanish agents and British emissaries resident among them; one of whom was the infamous Woodbine, who was then engaged in enlisting them in his service, by the distribution of presents, and in disciplining them for war. These facts might have been ascertained by a reference to the correspondence between your respondent and the governor of Pensacola, which were on file in the war department.

Upon the subject of occupying the Spanish posts, your respondent thinks proper to observe, that he deemed it essentially necessary to the execution of his orders. It would have been impossible to have obtained a *speedy and effectual termination of the war*, so long as the commanders of those fortresses furnished the enemy with supplies and munitions of war, and aided, abetted, and encouraged them in their savage hostilities against our frontier settlements.

They had both become the rendezvous for emboldening hostile negroes and Indians, and for giving them comfort and protection. According to the acknowledgments of her own commanding officers, the authority of Spain over Florida had ceased, and was to be considered *derelict* to all intents and purposes. Your respondent did not believe himself under any obligations to respect an authority that did not exist; a sovereignty that was not asserted or exercised: reason nor law could require him to respect rights that were suffered to be usurped for the purpose of promoting a most cruel and sanguinary war against the citizens of the United States. These posts had been alternately substituted for the fort, on the Appalachicola, and thither the negroes and Indians had retreated for shelter and protection, after their defeats at Mickasuky. They constituted the laboratories of the war; and, there were their materials collected and organized for active service. They were in reality Indian forts and store houses, attempted to be protected by the Spanish flag: and had they been in the exclusive possession of our savage enemies, they could not have derived greater advantages, been more benefited, nor we more seriously injured.

Against such an enemy, what measures were to be adopted under orders that required a *speedy and effectual termination of the war*; and which were to give permanent peace and security to our southern frontier? They were not to be met and fought in the open plain, where a decisive blow might be given, and the contest ended; but were to be sought for in the fortresses of Spain, and in the swamps of a wilderness, where they might contend at leisure, and recede from the contest the moment it became hazardous. Partial remedies to prevent such evils had already been adopted by the American government. During the war of 1812, Spain had suffered Great Britain to violate her neutrality in Florida, to the injury and annoyance of the U. States. In 1814, Pensacola was entered by United States' troops, and a lesson, it was hoped, enforced, that however this government was disposed to cultivate peace, she could not preserve it by permitting Spain, regardless of existing treaties, to outrage her dearest rights. She was called upon to maintain her neutrality according to the injunctions of the law of nations, and the provisions of the treaty of 1795. She pleaded inability to comply, and the American government forgave the injury. Peace was at length restored to the United States; yet still Spain, regardless of her obligations, permitted British agents to reside within the bosom of Florida, and to excite the Indians and negroes to pillage and to bloodshed. Remonstrance was again employed, but in vain. Inability was still the pretext, and the same tragical scenes witnessed in 1814, were now repeated. The savages who had causelessly made war, and who were shedding the blood of our border settlers, being thus openly received and comforted by the Spanish authorities, were such acts of hostility, were so flagrant a violation of the good understanding existing between the U. States and Spain, as, in the opinion of your respondent, *wholly to merge the neutral character*. And your respondent considers, that he would have been guilty of a dereliction of duty, had he drawn up his troops by way of cordon, and remained on the Georgia frontier, receiving the reports of Indian robberies and massacres, only that he might transmit them to the secretary of war; for he could have done no more.

Both of those fortresses were clearly identified as "associates" in the war, and were both equally under the control of the negroes and Indians. Ambriester had appeared before St. Mark's with 4 or 500 under his command; and an equal number had been seen about Pensacola, the most of whom were equipped for war by governor Mazot. In both instances the strength of the enemy was amply sufficient for a forcible occupation of the posts. Moreover, the governor of Pensacola had refused the passage of provisions up the Escambia, destined for our starving troops at Fort Crawford. An United States' schooner, called the *Amelia*, had been detained at that place, until the town was taken, when were obtained from her provisions for the troops. Another provision vessel, ordered into the *Perdido*, had been captured by boats sent from the Barancas, and placed under the guns of the fort, but fortunately made her escape under cover of the darkness of the night.

In this state of things, had your respondent been compelled to suspend operations, and to wait for additional orders from the war department, the object of anticipating the enemy would have been entirely defeated. He would have been compelled to retrace to the interior, for the want of supplies, leaving many points of the frontier exposed

to the ruthless barbarities of exasperated savages. The militia force would have become inactive and discontented; their time would have expired before any thing effectual could have been done; and the campaign thus rendered completely abortive. If St. Mark's was necessary to the defence of the frontier of Georgia, Pensacola was much more so for the peace and security of Alabama. In consequence, too, of its being located on the seaboard, it afforded much greater facilities to our enemies, for it commanded the navigation of the Escambia, up which had, necessarily, to pass all the supplies for our forts erected on its tributary streams. The occupation of this post was not determined upon, until the reception of governor Bibb's letter, at the Escambia, detailing many outrages, and communicating the intelligence that Holmes and his warriors were then in Pensacola; as, also, the receipt of governor Mazot's protest, complaining of a violation of his neutrality, and ordering your respondent to retire from West Florida, accompanied with a *threat* to coerce him, if he did not comply. Lieutenant Sands had been despatched from St. Marks, with orders to hold his artillery in readiness, to meet future contingencies, should they occur; but he never was directed to convey it to a *given point*, until your respondent reached the Choctawhatchy.

Nor were those proceedings considered *acts of war*, as represented by the committee. By adverting to the correspondence with the commandant of St. Marks, the governor of Pensacola, and the secretary of war, it may be distinctly seen that your respondent entered the territory of Spain as a *friend*, to chastise an enemy of both nations, and to enforce those obligations and duties which the Spanish authorities had pleaded *inability* to perform; that all his operations were bottomed on the broad principle of self-defence, authorized by the law of nature and of nations. They were not directed against the government of Spain, but against the fortresses which had become the strong holds, the rendezvous, of negroes and Indians, and whose neutrality was prostrated to the basest purposes. They were seized because they were Indian posts to all intents and purposes. Spain has disavowed the conduct of her official agents; and the American government has declared that a war was not intended with that nation.

Although the Spanish authorities were guilty of many *open and undisguised acts of hostility*, yet the sovereignty of Spain over Florida was altogether ideal. Her commandants had repeatedly acknowledged that they were unable to restrain the savages, and that the Indian chiefs, and British emissaries, were proceeding contrary to their wishes, and in violation of their laws: hence were these fortresses occupied, as the only measure which could give a speedy and permanent peace to our bleeding frontiers. The Spanish government did not consider it an act of war, nor did Mr. Pizarro or Don Onis complain of it as a measure of that description. The two governments have acknowledged themselves at peace, and have since kept up a regular and friendly intercourse with each other in the shape of negotiation.

Neither were the garrisons made *prisoners of war*, or treated like *conquered enemies*, as is stated by your committee. The contrary will be made clearly apparent, by the examination of the conditions upon which the Spanish posts were occupied; to which your respondent begs leave to refer. Your committee acknowledge that the Spanish authorities in Florida were guilty of acts of war against

the United States; but that her neutral character was not *wholly merged* in that of the enemy, in consequence of her employing *moral* and not *physical* force. If giving the negroes and Indians encouragement in their outrages, by the purchase of their plunder; furnishing them with aid and protection, supplies and munitions of war, did not *wholly merge* the neutrality of the Spanish authorities, and make them associates in the war, your respondent confesses that he is at a loss for a definition of terms. Agreeably to this idea, it would be improper to consider the population of a nation, with whom we were at war, as enemies, save those who were in the field; for it is only the latter who resort to "physical force." This distinction is entirely new, and is in contradiction to many of the most clear and long established principles of *good sense* and national law.

It is stated by your committee that all authority at Pensacola was *put down by the sword*, and that a new government was established, "the powers of which, both civil and military, were vested in military officers." Every one would be induced to understand, from this, that the terms of capitulation were arbitrarily and tyrannically imposed upon governor Mazot, when, in fact, they were proposed by himself, and the civil and military government was dissolved at his own instance. The temporary governor, colonel King, was an officer of the United States' army; but civil officers were appointed to the different departments, from amongst the citizens; and Mr. M'Kensie, a citizen of Mobile, was placed at the head of the magistracy. All that was contemplated, was to organize some kind of civil authority, for the protection of the lives, liberty, and property of the citizens during the temporary occupancy of the fortress. The same government to which the people had been accustomed was retained. It became absolutely necessary to establish the revenue laws of the United States, in order to check the smuggling which had been carried on successfully in this quarter for many years; as well as to admit the American merchant to an equal participation in trade, which would have been denied, under the partial operations of the Spanish commercial code.

The executions of the Indian chiefs, and British outlaws, are justifiable on the ground of precedent, and the laws of nations. One of the former was a prophet, who had employed his superstitious influence, and the promises of his trans-atlantic friends, to stimulate his deluded brethren to deeds of rapine and massacre. The other commanded in person the party who perpetrated the cold blooded butchery of lieutenant Scott, and his unfortunate companions. Both had been engaged in most of the robberies and murders committed, and were active instigators of the savage war which raged on our defenceless frontier.

Acting as chiefs of the negroes and Indians, Arbuthnot and Ambrister, by numerous acts of atrocity, had become identified with those monsters—*associates* in the war. They were the principal authors of the hostilities of the ferocious savages, who observed none of the rules of civilized warfare; who never gave quarter, and only took prisoners for the purpose of torturing! They were without authority, principals in an unlawful war. Their mode of carrying it on was characterized by plunder, massacre, destruction, and revenge; and was in open violation of the laws of war and of nations. Great Britain would not interfere to prevent those miscreants from instigating the fugitive negroes and the Indians from burning, and pillag-

ing, and scalping, the inhabitants of Georgia and Alabama; but she disowned them, and left them to their fate. The Spanish authorities would not, or could not, interfere, and the Indians regarded them as friends and associates. Both acted as chiefs of the motley banditti, giving them counsel, and exciting them to war; and one of them actually led those black and red combatants to battle. They both officiated as Indian agents, in writing to Spanish governors and British ministers, stating their grievances, and soliciting assistance; and sometimes as quartermasters, procuring supplies, and furnishing munitions of war.

Under these circumstances, it is believed that they merited death, whether they were placed upon an equality with the outlawed Red-Sticks, or fugitive negroes, who were in a state of open rebellion. Indeed, their criminality was of deeper dye than that of the Indian chiefs. They were the paymasters for human scalps; and, to discharge that high trust, had exiled themselves from their native land; plunged into the recesses of the wilderness, and groped their way to the Indian camp, for the express purpose of working upon the feelings of the ignorant and untutored savages; to instigate them to lay waste the abodes of industry and innocence, and stain our soil with the blood of slaughtered women and children! Enjoying the lights of education, yet devoted to this infamous employment, the active agents in a war which was marked in its progress by plunder and massacre! Should mercy have been extended to wretches who excited such a war, and who, within a short period, would have renewed the same tragical scenes? As associates of savages, who respected none of the laws of civilized warfare, they could not claim the benefit or protection of those laws, for they were not parties. They were as much outlaws, to all its provisions, as a pirate on the ocean. Such wretches are more criminal than any painted Red-Stick, and to pardon them would be treachery to mankind. If, in the ordinary course of justice, it has been deemed wise and politic to take the life of an offender, for the murder of a single individual, both religion and humanity must recommend the infliction of the same penalty upon him who has been conspicuously instrumental in the murder of every age, sex and condition. Although retaliation might have been employed upon the innocent, for such horrid crimes, yet, in these cases, it fell upon the guilty. Let it be borne in mind, that the Indian chiefs and British outlaws were the monsters *demanding* to be surrendered by the treaty of Fort Jackson, *the terms of which had been antecedently settled by the government*, ratified by your honorable body, and carried into effect by the congress of the United States: and let it also be recollected, that these were *the prophets and instigators of the war*, upon whom was ordered to be inflicted "exemplary punishment, for hostilities so unprovoked."

The two British incendiaries were not executed upon the *general* charge alone of "exciting the Indians to war," as stated by your committee; but upon that and other *general* charges subjoined thereto, which they *omitted* to notice; but which may be seen by a reference to the proceedings of the court of inquiry on that occasion.

The case of Arbuthnot and Ambrister was not within the reach of any rules or articles of war.—The rights and privileges here secured, belonged only to our own countrymen: and as the offences charged were committed by foreigners beyond our own territorial limits and jurisdiction, our municipal code contained nothing by which to test the

offence. To it the principles of national law was alone applicable, which attached no penalty to their crimes other than *death*. In organizing the court of enquiry, it was only intended (as in councils of war) that the opinion should operate directory and as advice, not to become binding. In the second sentence, pronounced by the special court upon Ambriester, there was a departure from the rules of that law, upon which alone it was belived jurisdiction was had of the offence. Nor was it less a violation of the rules and articles of war; for those rules had denounced corporal punishment. The sentence, therefore, was void, because known to no law.—Your respondent, therefore, conceived himself authorised to carry into execution the first sentence; because it awarded the only punishment that was legal to be inflicted; and because his lawless, guilty conduct entitled him to die. Besides, Ambriester was the most criminal. He had commanded, in person, a corps of negroes, with the view of anticipating your respondent in the occupation of St. Marks, and was actually taken in arms against the forces of the United States.

The general commanding, as in all such cases, possessed the right, by the law of nations, to retaliate and to punish; nor could the organizing of the court deprive him of the power. The court of enquiry derived its existence, and its whole authority, from the order for its organization; and no more could they exercise a power not delegated to them, than could a committee of your honorable body enquire into matters *not contained in the resolution which created them*. The order calls it a *special court*, and directs it to perform *special duties*. It only asks for *opinions*; and gives no right to carry those opinions into execution. It details a recorder, by which a court of inquiry is ever distinguished from courts martial; the latter having a judge advocate, without which no proceedings can be had, and no sentence pronounced.

Censure is endeavored to be attached, in consequence of the withdrawal of the regular troops from the posts on the Georgia frontier, and concentrating them at fort Montgomery, on the Alabama river, a considerable distance west of the Georgia line.—In the commission of this *military error*, your respondent had no participation; it was done in pursuance of an order of Mr. Crawford, then secretary of war—an order which he was bound to obey, although contrary to his own opinion.

Upon the subject of raising and organizing the volunteers of West Tennessee, which has called forth the severest animadversions, your respondent did not, as he conceives, "disregard the orders of the war department, the constitution and laws."—His orders were to call upon the governors of the adjacent states, for such additional military force, as he might *deem necessary to beat the enemy*. The order was entirely discretionary, as no number or description of troops were mentioned. In the language of the secretary of war's letter to governor Bibb, your respondent was "vested with full powers to conduct the war in the manner he might judge best."

When his appeal was made to the citizens of West Tennessee, the frontier settlements were threatened on every side with danger and distress, as well as our troops at fort Scott, and on the Appalachicola. Major Muhlenberg was endeavoring to ascend that river with provisions, &c. and was arrested in his progress, and surrounded by 8 or 1200 Indians. Col. Arbuckle, commandant at fort Scott, was also about to abandon his post for want of supplies. The 1000 Georgia militia, who had been called out for

60 days, after advancing forty miles from Hartford, to the neighborhood of fort Early, were returning home, leaving the command of col. Arbuckle, as also the Georgia frontier, in an exposed and perilous condition. Not only from the public journals, but from the communications of col. Arbuckle, had this intelligence been received. Under these circumstances, major Fanning was dispatched to Georgia, with a request that the governor should continue those troops in the field for an additional period, or supply the deficiency, as early as practicable, by an equal number of volunteers.

As it was not known at this time, whether the governor of Tennessee was at Knoxville, or in the Cherokee nation, your respondent made his appeal to his old and tried comrades in arms, desiring them to follow him to the field, in defence of their invaded country. In affording the desired relief, no time was to be lost. Delay was replete with danger; and defeat and disaster would have been the result, had the dilatory process of drafting been resorted. The same day on which the appeal was made, the governor of Tennessee was written to, and apprised of the attempt to obtain volunteers; and that 1000 drafted militia would be required, should the appeal not be promptly and successfully answered. In reply, the governor gave his entire approbation to the measure, and co-operated in raising an additional company of mounted volunteers, which was commanded by captain Dunlap, and which joined the army at fort Gadsden.

All the volunteers were raised and organized under the laws of Tennessee, the officers of whom were elected by themselves, and *not appointed by your respondent*, as asserted by your committee.—Although earnestly solicited to appoint them, he peremptorily refused. To the officers who had served him in the late Creek and British war, he stated, not only in his appeal, but also upon their meeting at Nashville, that they were to organize themselves in the manner they might think proper; that the grade of the officers was to be determined by themselves; and that those raising companies were to command them. The only agency of your respondent in the whole transaction, was the appointment of col. Hayne, inspector general of the southern division, to superintend their organization, and lead them to fort Scott, where he took the command.—Every measure touching the raising and organizing this volunteer corps, was regularly communicated to the secretary of war, and received his unqualified approbation.

The committee admit, that the laws of congress authorise the president to call on the governors of the different states for such portions of the militia as he may deem requisite; but deny that there is any law in existence vesting him with authority to accept the services of volunteers. Here they have endeavored to make an impression on the nation that volunteers are not militia; and that the circumstance of *volunteering* their services in preference to being *drafted*, essentially and radically changes their character. There is certainly no position more unsound; as is clearly evinced by the fact, that most of the calls of the general government have been met in this way, by the patriotic and gallant yeomanry of our country: until now it has never been complained of.

When a requisition is made by the president on any state in the union for a quota of militia, it is sufficient if they are forth coming; and it is believed that he has no authority under the laws or constitution of the United States to inquire into the mode in which they have been raised and organized.

ed. This is a question to be determined exclusively between the governor of a state and its own citizens. It is one of the attributes of state sovereignty, guaranteed by the federal constitution, and with which the executive and congress cannot interfere. If an officer of the United States' army should be guilty of an infringement of this state prerogative, the complaint of its governor or legislature should be considered as the only basis to authorise an inquiry into his official conduct.

It is stated by your committee, that it was not found necessary to furnish the president with a list of the names of the militia officers; "and not until the *pay rolls* were made out, and payment demanded, were the persons known to the department of war." A majority of your committee were within reach of all the information necessary to the correction of *this error*. Colonel Hayne's communications to the secretary of war, were on file in that office; from which they might have been informed of the number and grade of the officers, as well as of every particular relative to the organization of the volunteers; together with the express and decided approbation of that department of the government. Appended to the report are the *pay rolls* filed in the office of the *paymaster general*.—Why they omitted to examine the *muster roll* in the war office, from which the *pay roll* was transcribed, your respondent is at a loss to determine. Upon an examination of the *pay rolls*, they should have known that, agreeably to the rules and articles of war, they must have been made out from the *muster rolls*, which designate, by name, the number and grade of the officers mustered into service. The *muster roll*, together with the *letters* of col. Hayne, would have satisfied the committee that the volunteers had been organized agreeably to the laws of Tennessee; and that it was a procedure over which the general government could exercise no control.

By the rules and articles of war, "troops, of all descriptions, shall be mustered once in two months for payment; *nor shall any payment be made, but upon muster rolls, signed by the inspector general, or his assistant, or, in the absence of these, by some officer of the army of the United States, especially assigned to this duty by the general or other officer commanding the department in which the troops so mustered shall be.*"

Again, "the officers and soldiers of any troops, whether militia or others, *being mustered, and in the pay of the United States, shall, at all times, and in all places, when joined or acting in conjunction with the regular forces of the United States, be governed by the rules and articles of war, and shall be subject to be tried by courts martial, in like manner with the officers and soldiers of the regular forces save only that such courts martial shall be composed entirely of militia officers.*"

From these extracts it must appear evident, that no payment can be made, but upon *muster rolls*, signed by the inspector general, &c. and that, from the time they are made out and received at the war office, the militia are considered in the service of the United States. Neither congress or the president have any authority to inquire how their officers have been appointed; whether they have been received as volunteers, or raised by the more tedious and vexatious method of drafting. Were the ideas of your committee correct upon this subject, the people of the different states would be deprived of the invaluable privilege of selecting between these two modes of complying with calls made upon them for the defence of our common country.

The general government had the services of those troops, which is all that can be required: and they have long since been mustered out of service, and paid from the public treasury.

The committee confess, that the secretary of war approved the manner in which the Tennessee volunteers were raised and organized; but say, that "it is but justice to the department to state, that it was not until the officers that had assisted in thus officering and organizing this corps were examined by the committee, that they were apprised of the illegality of the measure." Surely the secretary of war must have examined the communications of col. Hayne and your respondent, stating every particular touching the mode agreeably to which they were raised and organized, as also the *muster rolls*, giving the grade and number of the officers by name; all of which were transmitted, and acknowledged to have been received, at an early period, at that office. He certainly could not have compromised himself so far, as to give his approbation to a measure before he was made acquainted with its nature and tendency.

Troops, of the same description of the Tennessee volunteers, were received and employed by the government on our northern frontier and southern borders, during the late struggle with England, and in the war with the Creek nation of Indians. They fought the battles of Talladega, Emucklaw, the Horse Shoe and New-Orleans, and protected Mobile from British visitation. Volunteers, similarly raised and organized, were commanded by governors Shelby, Harrison, Edwards, and general Porter, of New-York, during the same period. The field officers, of the Georgia militia, were appointed in the same manner on the west bank of the Ocmulgee; and one of the present senators from Tennessee actually appointed the officers of his own regiment, which he raised without any authority, and which he commanded on an expedition against the Seminole Indians, in 1812. The most of those troops were paid off by the United States, received the approbation of the general government, and the applause of the nation.

It is stated in the report of the committee to the senate, that the "whole strength of this miserable, undisciplined banditti of deluded Indians, and fugitive slaves, when combined, did not exceed 1000 men. Opposed to whom, *previous to gen. Jackson's taking command, and under gen. Gaines, were a force of 1800 regulars and militia, besides the 1500 friendly Indians, illegally subsidized by the last mentioned general; what then, in this case, becomes of the plea of necessity?*" It is plainly to be inferred then, that this motley horde of negroes and Indians were too inconsiderable to justify raising the volunteer force, which was employed in reducing them to a state of submission.

It is well known to all those acquainted with the character of Indians, and their peculiar mode of warfare, that it is almost impossible to form a correct estimate of their aggregate force, until the termination of the war. In this case general Gaines had computed them at 2800; and Arbuthnot, who officiated as a military chief of the savages, had represented them, in a communication to the British minister, Mr. Bagot, to be 3,500 strong. This calculation was by no means extravagant, when it is considered that from 8 to 1200 had been concentrated at a single point, when lieutenant Scott and party were attacked, and that they were daily increasing in number. Whatever might have been their effective strength, at any period of the war, it could have been augmented by auxiliary bands in

Florida; and it was certainly the duty of the commanding general to call out such an additional force as should insure success in every emergency. Furthermore, the greatest portion of the Georgia militia then in the field, could be retained in service only for about three months: and it was expected that they would apply for discharges so soon as their time expired. Your respondent considered the lives of our citizens as too precious to be risked in a contest with Indians, where there was an odds of two to one, unless dire necessity demanded the exposure. The consequence of an opposite policy was, that the decisive and rapid movement of our overwhelming numbers distracted and dispersed the enemy, compelled them to seek refuge in the Spanish fortresses, woods and swamps, and they never were afforded an opportunity to display their whole force by concentration. The war was speedily and effectually terminated, and much blood and treasure saved to the nation.

With regard to the Indian and militia force, under the command of general Gaines, previous to the time your respondent assumed the command of the army, he has to remark, that, until a few days anterior to his arrival at Fort Scott, not a single Indian warrior had joined the standard of the U. States—nor had the first requisition of Georgia militia ever united with the command of general Gaines; the latter had returned home, in consequence of which it became absolutely necessary, on the part of general Gaines, to make a second call on the governor of that state, for the double purpose of defending the frontier and occupying Amelia Island.

A few of the friendly Indians joined your respondent before he reached Fort Scott, and a considerable number at that place, making, in the aggregate, about four or five hundred. The balance of the force under his command, was not, at that time, more than nine hundred effectives; and he confidently affirms, that when he took up the line of march from Fort Gadsden, on the 25th of March, 1818, his whole command, fit for duty, consisted only of 360 privates of the regulars, about 800 Georgia militia, and major Lovet's detachment of friendly Creeks. McIntosh and his warriors were organized at Fort Mitchell, after the arrival of your respondent at Fort Hawkins, and never united with him until the first of April, about six miles in the rear of Micksauky. All these facts were accessible to your committee, had they been disposed to examine the letters of your respondent, on file in the department of war. To this department all his communications were made; and there they should have applied for correct information, if it had been wanted.

The next subject which has exposed your respondent to bitter reproach from the committee, is the order which was directed to general Gaines, to occupy St. Augustine. A letter from major Twiggs had conveyed the intelligence that our savage enemies had been fed and furnished from that garrison—and it was rendered highly probable, that, aided, abetted and encouraged by the commandant, they were recruiting and embodying at that place, with a view of renewing hostilities. A strong presumption was created, that this, like the other Spanish posts, had become a depot and rallying point for negroes and Indians, to which they had retreated for refuge and protection, after being driven from Negro Fort, St. Marks and Pensacola.

The order given to general Gaines was entirely conditional and prospective; and, had the facts reported been established, as directed, there would have existed the same incontrovertible reason for

the occupancy of St. Augustine, as of the other Spanish fortresses. The orders of your respondent had undergone no modification; and the measure would have been indispensably necessary to their execution, as well as to the peace and security of our frontiers. Besides, he had transmitted to the war department regular information of his proceedings in Florida, with the reasons and motives by which he had been governed, from the 25th of March to the 7th of August, without a sentence of dissatisfaction ever having been expressed by the government.

Your committee also report, that "long before this period, the commanding general had, by his letter to the secretary of war, declared the Seminole war at an end; and after which, not a single new act of hostility had been committed." It is true, after the defeat of the negroes and Indians, at Micksauky, the destruction of Suwany, and the asylum of St. Marks had been wrested out of their occupation, that your respondent persuaded himself the war was ended. But subsequent information proved this opinion to be erroneous. The letter of governor Bibb, appended to the report to the senate, as well as the deposition of Charles Baron, details sundry outrages committed subsequent to the date of your respondent's letter to the secretary of war; and it is also known that *six men were murdered in the interior*, which it is believed was communicated by general Gaines to the war department. The communications of general Gaines and major Fanning, annexed to the report, also give a very different aspect to this question, and to which your respondent begs leave to refer your honorable body.

In the animadversions upon the motives of your respondent, he cannot withhold the opinion, that there has been exhibited an unusual share of asperity, and also a want of charity and forbearance, which was not to have been anticipated from members of so august and enlightened a body as the senate of the U. States, deliberating upon a subject which they have represented to be of great national magnitude. Leaving the motives of the committee on this occasion to their own private review and examination, your respondent will barely observe that they have imperfectly recognized the maxim, that innocence is always presumed until the contrary appear by proof. Why they should have enquired into the motives of your respondent at all, he is at a loss to determine, as it was a matter entirely beyond their control and jurisdiction. The only subject of investigation, was the legality of his official acts, as designated in the resolution of the senate of the 18th of December.

Your respondent has no objection to this course, except a pernicious precedent, and violation of authority. He has no secrets, and will never shrink from a rigid and impartial examination into his official conduct. Had the committee adverted to the order to take possession of St. Augustine, as well as the communications of your respondent to the secretary of war, upon the subject of his military operations, they must have been satisfied that his motives were to promote the public good—to *obey his orders*, by carrying on a vigorous and efficient war against the savage enemies of the U. States, by which the blood and treasure of the nation was to be economized; to establish a peace that would be honorable and permanent, and to give repose and security to our exposed and defenceless borders.

In this instance, as well as in some others, the report of the committee is contradicted by the evidence of its own documents. The depositions of

col. Butler and major Eaton, (a member of the committee,) conclusively prove, that your respondent had no agency in speculating in Florida lands, which is in direct opposition to the inference drawn by your committee. No member of that committee can, for a moment, seriously and candidly harbor the opinion that your respondent would lead a gallant army into the field—jeopardize the lives of valuable citizens—risk the ruin of health and reputation, and “*violate the constitution*” of his country, for the purpose of speculating with security in Spanish lands. The “*motives of his own, unconnected with his military functions,*” were a desire to end speedily a savage war, and to save the blood and treasure of the country; and not, as charged, to adventure his health and reputation, and the lives of brave men, in quest of titles to Florida lands. The imputation is unwarranted and unjust, and has its refutation in the very testimony which the committee have published. The dignity of his office, which, at every exposure, he has sought to maintain, never has been prostituted to the purposes of speculation in any way, and it never shall. Strange, then, that honorable men should make so foul an accusation without proof; nay, without even circumstances to support it.

Your respondent would beg leave, in this place, to remark upon the depositions annexed to the report. He ventures the opinion that such documents never before have been published to the world as evidence upon which to predicate a report. Eaton's and Mitchell's are the only depositions presented in legal form. To those two gentlemen, regular interrogatories were proposed, to which they deliberately responded and affixed their signatures, as required by law. Doctor Bronaugh's deposition is signed, but not given under oath; col. Butler's, col. Gibson's and captain Call's, are neither sworn to nor signed. The depositions of the four last gentlemen were published without their knowledge, although they had received a promise from the members of the committee who took down the testimony, that it should be copied, and again submitted to them for correction and signature.

Until depositions are fully examined, amended, and signed, by the witnesses, they cannot be considered good and complete evidence. This is a rule, which, it is believed, is uniformly adhered to in all judicial tribunals; it never should be departed from on any occasion; as it is essentially necessary to an impartial administration of justice. Every opportunity should be given the witnesses to make a fair and full disclosure of the facts; to consider the force and effect of their expressions, as well as the import of every sentence. By an opposite procedure irreparable injustice may be done, and the rights of a public agent sacrificed by those who should afford him security and protection.

There are several minor points touched upon by the committee, to which your respondent considers it unnecessary to give a particular reply; as they are of inconsiderable importance, and could not be noticed, without swelling this memorial to an unwieldy size. He flatters himself they have been satisfactorily answered in the discussion of the other subjects, out of which they have incidentally arisen. They will all, however, be more amply and minutely explained, by an examination of the documents heretofore communicated to congress, relative to the Seminole war; to others on file in the war office, and to those accompanying this memorial; to all of which your respondent respectfully refers your honorable body.

To conclude: your respondent has devoted his best services to the cause of his country, and to the perpetuation of her liberties. Her constitution and laws are objects of his sincere veneration; and every anxiety of his heart has been enlisted to promote the glory and happiness of his country. How far he has been instrumental, under the guidance of Providence, in effecting those desirable objects, he submits to the decision of his enlightened fellow citizens. He does not pretend to be exempt from the errors common to human nature. Surrounded, as he was, by every privation and embarrassment—in all the hurry and bustle of war, it was next to impossible to attend particularly to every minor consideration.

But, upon the great errors charged—a breach of his orders—a departure from the constitution, and a violation of the rights of humanity, he openly maintains his innocence, and denies that the charges are correctly made. He calls upon the senate, by the high claims they prefer to magnanimity, to protect his reputation from the unmerited censure cast by their committee. He asks for justice, and nothing more; to extend it, is due to your respondent, to the senate, and to the nation.

ANDREW JACKSON,

Major-gen. commanding southern division.

Legislature of New Hampshire.

In General Court, June 16, 1820.

The committee to whom was referred a preamble and certain resolutions of the legislature of the state of Virginia, on the subject of a proposed restriction of slavery, communicated by his excellency the governor, **REPORT:**

That the committee has not deemed it necessary to enquire whether it would have been expedient for the legislature, at the present time, to express its opinion on this important subject, if it had not been thereto specially invited. But the legislature of the state of Virginia has seen fit to address to the legislatures of the different states of the union certain resolutions, together with the reasons on which they are founded; giving a construction to important provisions of the constitution of the U. States, and defining the powers of congress. The forbearing to express an opinion, when thus appealed to, might be taken for an acquiescence in the construction contended for.

After having carefully examined the resolutions, and the reasoning offered in their support, with all that attention to which they are entitled, as well on account of the source whence they originated as on account of the great importance of the subject to which they relate, the committee is of opinion, that the legislature of Virginia contends for an erroneous construction of the constitution of the U. States, relative to the powers of congress, which, if adopted, will prove highly injurious to the interests of the nation.

Since the passing of the resolutions under consideration, the subject matter of them has been so amply discussed in the congress of the U. States, as to render it, at this time, an unnecessary and useless labor to assign and illustrate, at large, the reasons why this legislature ought not to give its assent to them.

Notwithstanding the reasoning of the legislature of the state of Virginia, on the language of the constitution, the committee has full confidence, that the power to prescribe the prohibition of slavery, as a condition of the admission of new states into

the union, is vested in congress by a fair interpretation of the language of that instrument.

The argument, chiefly relied on, is, that the prescribing such condition by congress is inconsistent with the sovereignty of the state to be admitted, and its equality with the other states. It is admitted that "congress, if the applicant for admission into the union had no right whatever to demand it, as would be the case of an independent state making such application, might provide for the admission of such state upon the performance of precedent conditions, not impairing its sovereignty." If so, as the territory of Missouri had no right to demand admission, the only question is, whether the right to establish slavery within their respective limits is essential to that sovereignty, which is enjoyed by the different states of the union under the constitution of the United States. For evidence that such right is not essential to their sovereignty, an appeal might be made not only to the solemn assertion of the unalienable right of all men to freedom, announced in the declaration of our national independence, and which is adopted among the fundamental principles of many of the state government, and to the reiterated acts of the general government in admitting into the union new states with a prohibition of slavery, but also to the enlightened judgment of wise and good men of all countries.

Slavery is prohibited by the immutable law of nature, which is obligatory as well on states as individuals. The establishing or permitting slavery by a state, being thus morally wrong, the right to do it instead of being essential to its sovereignty, cannot exist; except only in cases where slavery has been already introduced cannot be suddenly abolished without great danger to the community. Under such circumstances, it must of necessity be tolerated for a time, as the sole means of self-preservation.

The painful necessity may justify the temporary continuance of slavery in certain states of the union where it now exists. But in the opinion of the committee nothing can justify the unnecessary extension of this great evil to newly formed states.

As far as it may affect the sovereignty of a nation, no material difference is perceived between the case, where it surrenders its supposed right to carry on a traffic in slaves with a foreign country assenting thereto, and the case of its surrender of its right to acquire in any other way, and retain slaves within its own limits. And yet several independent nations, and our own among others, have, without any suspicion of injury to their rights of sovereignty, bound themselves by treaty stipulations, forever to prohibit that monstrous traffic. Have they thereby lost what is essential to their sovereignty?

If, from the generality and conciseness of the terms used in the federal constitution, any doubt remained as to their true construction, in relation to the power of congress, in the particular under consideration, such doubt would be removed on examining the condition of the territory, belonging to the United States, at the time of the adoption of the constitution, and the obligation they were then under to form the same into states, to be admitted into the union.

After the United States had, by the treaty with Great Britain, and by a cession from Virginia, and certain other states, of their claims, acquired an undisputed title to the territory northwest of the river Ohio, they passed the ordinance of 1787, for

dividing that territory into states, and for their admission into the union. This ordinance is entitled "articles of compact between the original states and the people, and states within the said territory, forever to remain unalterable." It recites the object and design to be "for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws, and constitutions are created; to fix and establish those principles, as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in said territory; to provide also for the establishment of states at as early a period as may be consistent with the general interest." It then provides as one of the articles to remain forever unalterable, that "there shall be neither slavery, nor involuntary servitude in the said territory." The state of Virginia, with four other slaveholding states, assented to this compact. And Virginia afterwards expressly ratified it by an act of its legislature. The states mentioned in the ordinance, and in which slavery was to be thus forever prohibited, were still to be admitted on an equal footing with the original states. Of course, the prohibition of slavery was not supposed to be incompatible with their sovereignty.

The United States having thus pledged their faith, and bound themselves to admit these states into the union, with a perpetual prohibition of slavery, it would seem to be impossible that the constitution, which was soon after formed, and certainly with a full knowledge of the ordinance, should not have been intended and understood to confer on congress the requisite power to perform the obligation.

In further proof that the constitution must have been so understood, might be cited the act expressly confirming this ordinance, among the first doings of congress under the constitution. In conformity with this understanding of the constitution, have the states north west of the Ohio been admitted into the union, subject to perpetual prohibition of slavery. Most of the other new states have likewise been admitted on such conditions as congress, deeming them to be suitable to their respective situations, has been pleased to prescribe.

This being the construction given to the constitution immediately after its adoption, and which has been acted upon, without opposition, and acquiesced in for more than thirty years, it was not to have been expected that its correctness would, at this late period, have been drawn into question.

It must be recollected that this cotemporaneous construction of the constitution was made by those, who had the best possible means of knowing what was the true intent. Many of the distinguished members of the convention, which formed the constitution, were at that time in the national councils.

Neither these states, themselves, so admitted on prescribed conditions, nor any body in their behalf, have heretofore doubted that they were on an equal footing with the original states, or that they enjoyed all the rights essential to their sovereignty.

The legislature of Virginia attributes this early construction of the constitution, so uniformly followed by the general government, and acquiesced in by the states, to the score of misapprehension. And an intimation seems to be given to the newly admitted states, that the conditions and stipulations on which they were admitted, and which were solemnly ratified by them, are of no binding force. The dangerous tendency of such a doctrine is too apparent to need comment.

The legislature of Virginia admits "that this subject addresses itself very strongly to their interest, as well as their feelings." If the obviously just and long settled construction of the constitution, in a particular of great national concernment, may, in a moment of excitement, be set aside in favor of supposed doubts, raised by the excess of ingenuity of reasoning, no ground of security will remain for the equal rights of the states; and the foundation of the union itself may be shaken.

An argument against the power of congress to prevent the extension of slavery to new states is attempted to be raised from the general scope of the constitution, and from the nature of our free institutions. The legislature of Virginia says, "it can never be believed that an association of free and independent states, formed for the purpose of general defence, of establishing justice, and of securing the blessings of liberty to themselves and their posterity, ever contemplated the acquisition of territory for the purpose of establishing and perpetuating for others and their posterity that colonial bondage, against which they themselves had so lately revolted." "Power may enslave them (the inhabitants of territories) longer, but the laws of nature and of justice, the genius of our political institutions, and our own example, proclaim their title to break their bonds and assert their freedom." Can this have been intended for calm reasoning, to convince the understandings of those to whom it purports to be addressed; or was it designed to produce an effect on the feelings and conduct of the inhabitants of the territory of Missouri, then demanding admission into the union? It is hoped it will never be believed that this association of free states, formed for the noble purposes above stated, ever contemplated the acquisition of territory for the purpose of establishing or extending bondage of any kind.

If the constitution gives to congress the power in question, it is not perceived that there is any stipulation in the treaty, which ceded Louisiana to the United States, that forbids the exercise of it, in providing for the admission into the union of the territory of Missouri. The provision of the treaty, which is supposed to impose on congress the obligation of admitting the territory unconditionally, is the following: "The inhabitants of the ceded territory shall be incorporated into the union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States." It is not believed that this provision can have any effect whatever on the question. The admission into the union is to be according to the principles of the constitution. If congress may, according to those principles, make the prohibition of slavery a condition of the admission, then surely the admission, subject to that prohibition, cannot be at variance with those principles.

The rights mentioned in the treaty are such as are conferred by the constitution of the United States on its citizens, among which the right to hold slaves (if such right there be) is not one. Admitting, subject to the proposed inhibition of slavery, the inhabitants of Missouri would have enjoyed the same rights, as citizens of the United States, as do the citizens of the states on the north side of the river Ohio, or as do the citizens of other states, where slavery is not tolerated, and who, as is hoped, will not be soon convinced that they do not enjoy all the rights, appertaining to a citizen of the United States.

To avoid this conclusion, the legislature of Virginia contends that the clause "according to the principles of the federal constitution," is no more than a qualification of the time of admission. But the constitution neither states nor even alludes to any principle whatever to designate or determine the time for the admission of a new state. Such construction of those words would therefore render them wholly inoperative, and consequently must be rejected.

The toleration of slavery in a portion of our common country has long furnished matter of reproach on our national character. Strong hopes were entertained, that, instead of the zeal now shown for enlarging the baneful operation, suitable measures would have been adopted for its gradual abolition. Congress having the power, is bound by considerations of justice and humanity, and by a regard to the general welfare of the nation, to prevent the further extension of this evil.

To attempt to wrest this power from congress affords just cause of alarm. It is apparent that slavery creates habits and interests peculiar to the states tolerating it, and that it constitutes between them a strong bond of union. To this cause is to be attributed the unparalleled unanimity of every senator and representative of the slave-holding states, on the passing of the late act by congress, affecting this subject.

Should this odious bond of union be permitted to be extended, without opposition, it will soon produce such a combination of political power, as may be sufficient permanently to control all the measures of the national councils.

By the constitution a disproportionate share of political power is conceded to the slave-holding states, on account of their slaves. And although the equivalent, given to the states not tolerating slavery, has in a great degree failed, by reason of the government's seldom resorting to direct taxation for revenue, yet no complaint is made, while the advantage is confined to the original states, the parties to the compact, or even to new states, formed within their limits. But new states, formed out of territory not included within the original limits of the United States, have no claim to this advantage. And the granting of it to them, when nothing in their situation renders it necessary, is an act of injustice towards the states now allowing slavery, and which, if persevered in, may in the end, destroy their just share of power and influence in the general government and endanger their safety.

Which said report was approved and agreed to, as expressing the opinion of this legislature. Therefore,

Resolved by the senate and house of representatives, in general court convened, That, in the opinion of this legislature, the congress of the United States has, by the constitution, the right, in admitting new states into the union, to prescribe the prohibition of slavery as one of the conditions on which such state shall be admitted.

That, in the case of Missouri, to which, by the preamble and resolutions of the general assembly of Virginia, the attention of this legislature has been called, that right remained in full force, unimpaired either by the treaty under which that territory was acquired, or any subsequent acts of the general government:

That, in the opinion of this legislature, the existence of slavery within the United States, is a great moral as well as political evil, the toleration of which can be justified by necessity alone, and that the further extension of it ought to be prevented.

ed, by the due exercise of the power vested in the general government:

Resolved, That the governor of this state be requested to transmit a copy of the foregoing report and resolutions to the government of the state of Virginia.

Passed house of representatives—Yeas, 194; nays, none.

Passed in senate—Yeas, 11; nays, none.

Law Case.

FROM THE SOUTHERN PATRIOT.

James Patton, jun.

vs.

State Bank,

same.

vs.

Bank South Carolina.

This was an action of assumpsit, tried before the honorable the recorder, in the inferior city court of Charleston, May 1820; in which the jury found a special verdict in the following words:—"We find that on the 10th of August, 1819, five halves of five bank bills, of the bank of the defendants, payable to bearer, and amounting together, before they were cut, to the sum of one hundred and eighty dollars, the property of the plaintiff, were enclosed by the agent of the plaintiff in a letter which was lodged in the post office at Salisbury and directed to the plaintiff at Philadelphia; that, on the fifteenth of the same month, the remaining halves of the said bills were forwarded to the plaintiff by mail, by the same person, from the same place, and duly secured by the plaintiff; but, the five half bills enclosed and directed to him by mail, as aforesaid, on the 10th of August, never reached the plaintiff, in consequence of the mail, in which they were, being robbed, and the letter and said half bills feloniously taken away by persons unknown. That the plaintiff thereupon caused the said half bills which came to his hands, as aforesaid, to be shown and presented at the bank of defendants in Charleston, and full payment of the whole to be demanded of defendants—he, the said plaintiff, offering at the same time to give a bond of indemnity to save the bank harmless from any future liability to any one on the five other halves of the said bills, which plaintiff had been thus deprived of; that the defendants refused to accept the indemnity offered, or to pay the half bills as if they were whole—but offered, according to the custom of the state bank in this city, (which custom we find exists) to pay plaintiff ninety dollars, being the moiety of the whole five bills, which plaintiff refused to accept. Now, if the court should be of opinion that if defendants, by law, were liable to pay the whole of the said five bills, upon the presentation of the said half five bills, under the circumstances aforesaid, then we find for the plaintiff \$180, with interest from the time of the demand, and costs; but if, on the contrary, the court should be of opinion that the defendants were not bound to pay the whole, unless the whole of the notes or bills were presented for payment, then we find for the defendants, with costs."

On this verdict, judgment was awarded for the plaintiff, and a motion was made to reverse that judgment, on the ground that the facts found, entitled the defendants to a judgment, half notes being negotiable under the custom established by the verdict, at half their whole value.

The following opinion of the honorable the recorder, on the question made, accompanied the report:

"In determining the question arising under these special verdicts, I shall not consider the effect

which might be produced by an indemnity being given to the defendants; nor shall I be influenced by the custom found to exist in the state bank and the bank of South Carolina, of paying a moiety of the amount of a bill, when half of it is presented; because I think that this court cannot order or judge of an indemnity, neither can a verdict be given by the jury requiring the execution of such a condition. Nor is usage admissible to contradict or explain the meaning and import of a writing, the terms of which are unambiguous. The meaning of a bank note is to be collected from its language; its language is plain and not to be misunderstood, its popular and technical import are the same; it must therefore be governed by the rules that relate to similar instruments. The only question then remaining is, whether the defendants are bound to pay the whole amount of the bills declared upon, under the circumstances found in the verdicts upon the presentment of the halves, unaccompanied by any proof of the physical destruction of the other halves not produced. The jury have found that the halves not produced, have been stolen by persons unknown; as the court can intend nothing which is not contained in the verdict, the stolen halves must be regarded as being in existence. On the parts of the defendants, it is contended that the plaintiffs cannot recover, unless they exhibit the notes, or prove their destruction, or show that their negotiability has ceased; and this appears to me to be a correct presentment of the case. If the negotiability of the missing halves be destroyed, so that the banks cannot twice be recurred to for their payment, they run no risk in paying their total amount to the plaintiffs; it would, therefore, seem unreasonable, where the banks are absolved from this responsibility; that the plaintiffs, admitted to be the bona fide owners of the bills before they were divided, should, nevertheless, not be able to recover their amount. By the defendants it has been said, that a bank note is money; that, in law, it is regarded as such, and that their would be no more impropriety in subjecting a bank to the payment of \$100, upon the production of half of a note of that denomination, than in compelling it to give a dollar or a doubloon, on the production of moieties of these coins. On the other hand, it is urged by the plaintiff, that a bank bill is an acknowledgment of a debt due by the bank to the holder of it; that, in its nature, it is not negotiable, and cannot be so rendered by the bank. Both of these positions appear to me to be incorrect. It is true that a bank bill is generally received as money; that it passes as current as money, and that a tender in bank bills, in England, if not objected to, is a legal tender. But general practice and convenience will not change the nature of things. Notes of individuals are frequently taken and passed away as money, but it will not be said that they are so; it is requisite that a tender, if demanded, should be made in money, and yet an objection to bank notes is valid, for the only reason that they are not money. Money, according to its legal import, in this country, is coined metal, current for specific amounts, by the authority of the government. A bank note is an evidence that a certain quantity of such coin is due to the holder of it, but the bill and money differ as much from each other, as a title does from an estate, or the power from the fruition. That a bank bill is an acknowledgment of a debt due to the holder of it, must be admitted; but an obligation of this nature is perfectly consistent with negotiability, and bank notes are as much negotiable as any commercial instruments with which

we are acquainted, and a right of property in them is as fully transferred by a delivery, as in a promissory note, payable to order, by an endorsement. Upon the face of its bill, a bank promises to pay the bearer a certain sum upon demand; according to the contract, the bearer, when he asks for its payment, is bound to produce it. The general rule is, that a person making a demand, should accompany it with the evidence of the debt, for the debtor has a right to see his obligation cancelled, or to have it delivered to him when he is called upon to discharge it. This is a rule applying to every species of obligation, but especially to a negotiable security, which may have legally been transferred to another, at the very time when the original payee makes his demand for payment. But to almost every general rule there are exceptions; the books are full of cases, where a party may recover who has lost the evidence of his claim, upon due proof of its having existed, of its contents and of its loss; to this exception, there is again an exception, that a negotiable instrument is not included within it, because if it were, a debtor might be twice obliged to discharge his debt; but if a negotiable promissory note, not endorsed, has been lost, as it is then divested of the nature of a negotiable paper, upon the proofs before mentioned, a suit can be maintained for its recovery; the same rule governs if a negotiable instrument has been destroyed; *Chitty 167, 2 Campbell 212*. Does not the case before us come within the reason and principle of these exceptions. The bills were negotiable when received by the plaintiff; they have by no act of theirs been transferred. Can the halves which are missing be rendered negotiable by any act of the plaintiff or of any other person? No property in the whole notes can be vested in the possessor of the stolen halves—he could not produce the evidence of his right; he never had the whole notes, and excepting in certain instances, within which his case is not embraced, to give authority to demand payment of a note, the note must be exhibited; he could not prove the loss of the halves owned by the plaintiff—they are not lost; he could not prove a right of property in these halves—he never had it; he could not even appear as the *prima facie* owner—possession is necessary for that purpose. Suppose, after the payment of these bills to the plaintiff, that the holder of the other halves should call upon the bank, and granting, (which is very improbable) that he took the missing halves in the course of business, having given for them a valuable consideration, still he would hold them with notice that the right to the amount of them might be in the proprietor of the other halves, and he would consequently be bound, by every defence which could legally or equitably be insisted upon, against the finder or robber, because he would have accepted them under such circumstances as would necessarily set him upon an enquiry. The individual from whom the receiver of these halves obtained them, might be liable to him, but not the bank, whose notes he never had. If the drawer of a negotiable note have notice before payment that it is lost and nevertheless pay it, he does so at his peril, and it turns out that the receiver of it had no title, the drawer will be liable to the real owner:—*Lovell vs. Martin, in Taunt. 799*. This decision relates to a negotiable instrument, in which, as in the case of a bank bill, the right of property would be *prima facie* in the holder. If a bill be lost and found, the finder has no property in it against the owner, though he has against all other persons:—*Salk. 426*. Now the finder or possessor of the notes in question would

be in the same situation as the finder of the bill in the case quoted, and yet he would have no right against the real owners, who were the plaintiffs, and who, by the verdict of the jury, have never transferred their property. There is a case in 3d Camp. 324, where the facts are similar to those before us, in which the determination was, that the original bona fide holder could not recover. The ground upon which lord Ellenborough decided is: That the half of the note, (which had been stolen from the mail), might have immediately got into the hands of a holder for valuable consideration, and he would have as good a right of suit upon that, as the plaintiff upon the other half. I should speak with very great diffidence, when I said, for the reasons before expressed, that it does not seem to me that the conclusion of the English judge is warranted by his premises, were I not sustained in this judgment by the decision of two judges of the supreme court of the United States, (published in a newspaper and in Niles' Register), which are in accordance with the views I have taken. I am, therefore, of opinion, that the plaintiffs are entitled to recover from the defendants the full amount of the bills they have declared upon, together with interest from the periods of their respective demands.

WM. DRAYTON.

12th May, 1820.

JOHNSON, judge, delivered the opinion of the court:—

The grounds on which this motion rests have been so fully and able considered in the learned opinion of the judge who tried the cause, in whose conclusion the court concur, that the expression of that concurrence is all that is left to the court. I will remark, however, on the question as to the effect of cutting or severing the note or bill on its negotiability—that the practice of cutting them for the purpose of transmitting them by different conveyances, had its origin, unquestionably, in an opinion that it destroyed its negotiability; so far, therefore, as usage could have any influence as to legal construction, it favors the conclusion that a severance of the note destroys the negotiability. But I am fully satisfied that such is the legal effect both on authority and principle. The motion is discharged.

We concur—

A. NOTT,
E. H. BAY,
J. S. RICHARDSON.

DUNKIN, for plaintiff.

PRIOLEAU and GADSDEN, for defendant.

Naval General Order.

NAVY DEPARTMENT, May 10, 1820.

After the first day of May, 1821, the "uniform dress" for the officers of the navy of the United States, shall be hereinafter described, and to which all officers of the navy are directed to conform.

SMITH THOMPSON.

NAVY UNIFORM.

Captains of five years standing.—Full dress

Coat.—Blue cloth, broad lappels and white lining, standing collar, trimmed with gold lace around the collar, descending around the lappels to the bottom of the coat, the upper part of the cuffs around the pocket flaps (above the upper seam of the flaps) and around the edges of the pocket flaps; these two rows of lace around the pocket flaps nearly touch each other; a single lace around every button hole; the width of the face on all parts of

the coat, excepting around the button holes, is not to be more than three-fourths nor less than five eighths of an inch; the width of that around the button holes is to be one half the width of that on the other parts of the coat.

The buttons are to be as described in the drawing No. 1.—There are to be one on each side of the standing collar; nine on each of the lappels, four on each of the pocket flaps, and four on each of the cuffs, two over the skirts of the coat, two on each fold between the hip buttons and the end of the skirt. On the lappels there are to be open lace button holes; on the collar, cuffs and pocket flaps, there are to be blank lace button holes; over each of the two buttons over the skirt of the coat, there is to be triangle of lace, and one triangle between two, so that there will be three triangles; the folds of the skirts are also to be laced.

EPAULETS.—Two gold epaulets, with two silver anchors crossed on each.

Pantaloon and vest, white. The vest to be single breasted and to have nine buttons, and there are to be four buttons on and four under each of the pocket flaps; the pattern of the button to correspond with the drawing, No. 1. but the button to be smaller so as to correspond with garment.—When in full dress to wear half boots, cut and thrust swords, with yellow mountings and gold laced cocked hats, the lace not to shew more than one and a quarter inches on each side.

Undress.—Same as full dress, excepting the gold lace, white lining and standing collar.

Captains under five years standing.—Full dress.

Same as captains of five years standing in all respects, excepting the anchors on the epaulet; they are to wear one anchor only on each epaulet.

Undress.—Same as full dress, excepting the gold lace, white lining and standing collar.

A commodore is to wear a silver star on each strap of his proper epaulets.

Master commandants.—Full dress.

COAT.—Blue cloth, with broad lappels and lining of the same; standing collar, trimmed with gold lace, as follow: around the standing collar descending around the lappels to the bottom of the coat, the upper part of the cuffs, around the pocket flaps and down the folds with one single lace; four buttons on each of the cuffs, and four on each of the pocket flaps, nine on each of the lappels, and one on the standing collar; two plain gold Epaulets,—buttons as described in the drawing No. 2.

Pantaloon and vest, white. Vest single breasted, with nine buttons; four under each pocket flap; buttons same as those on the coat, but to be proportionably smaller.

Undress. Same as full dress, excepting the lace and standing collar.

Lieutenants' commandant, and first lieutenants of line of battle ships.—Full dress.

COAT.—Blue cloth, broad lappels and lining of the same, with nine buttons on each lappel, standing collar, with one button; three buttons on each of the cuffs and three on each of the pocket flaps; laced around the collar and cuffs.

One plain gold epaulet on the right shoulder, button No. 2.

Pantaloon and vest, same as the Masters' commandant, excepting that they are to have only three buttons under each pocket flap.

Undress. Same as the full dress, excepting the lace and standing collar.

Lieutenants dress and undress.

Same as lieutenants' commandant, excepting only

that they are to wear the the epaulet on the left shoulder.

Masters' commandant, lieutenants' commandant, first lieutenants of the line of battle ships and lieutenants, when in full dress, are to wear half boots, cut and thrust swords with yellow mountings, and gold laced cocked hat, the lace not to shew more than one and a quarter inches on each side.

Midshipmen's full dress.

COAT.—Blue cloth, with lining of the same, the lappels to be short, with six buttons standing collar with a diamond form of gold lace, on each side not exceeding two inches square, no buttons on the cuffs or pockets, the buttons to be according to the drawing No. 4. When in full dress to wear plain cocked hats, half boots, and cut and thrust swords, with yellow mountings.

Pantaloon and vest, white, the same as lieutenants, except the buttons on the pocket flaps.

Undress. A short coat, rolling cape, with a button on each side.

Hospital surgeon's.—Full dress.

COAT.—Blue cloth, with broad lappels, and lining of the same; nine buttons on the lappels, standing collar, three buttons below each of the pockets, and three buttons on each of the cuffs; two rows of gold lace, not exceeding one and a fourth inches broad, around the upper edge of the cuffs and around the collar; one laced button-hole on each side of the collar, with a button;—to be according to drawing No. 3.

Pantaloon and vest, white. Nine buttons to the breast of the vest; plain cocked hat, half boots, and small sword.

Undress.—Same as full dress, excepting the lace on the cuffs, and instead of a standing collar a rolling cape, edged with gold cord.

Surgeons.—Full dress.

COAT.—Blue cloth, broad lappels, and lining of the same; nine buttons on the lappels, standing collar, two laced button-holes on each side of the collar, three buttons below each of the pockets, and three buttons on each of the cuffs; buttons, No. 3.

Pantaloon and vest, white. Nine buttons to the breast of the vest; cocked hat plain, half boots, and small swords.

Undress.—The same as the full dress, excepting the laced button-holes and standing collar.

Surgeons mates.—Full dress.

COAT.—Blue cloth, with broad lappels, and lining of the same; nine buttons, standing collar, with one button and laced button-hole on each side; two buttons below each of the pockets, and two buttons on each of the cuffs; buttons, No. 3.

Pantaloon and vest, white. Cocked hat, plain half boots, and dirk.

Undress.—Same as full dress, except standing collar,—collar to be rolling.

Sailing masters.—Full dress.

COAT.—Blue cloth, with standing collar; broad lappels, and lining of the same kind; buttons on the lappels, and on the standing collar; three on each of the pocket flaps, and three on each of the cuffs; buttons, No. 4.

Pantaloon and vest, white. Plain cocked hat, half boots, and cut and thrust swords, with yellow mounting.

Undress.—Same as full dress, excepting the standing collar; they are to wear a rolling cape, without buttons on the collar.

Pursers.—Full dress.

COAT.—Blue cloth, with standing collar; broad lappels and lining of the same, with nine buttons on each of the lappels; cuffs open behind, with

three buttons, two above and one below; collar laced around with gold lace, not exceeding half an inch wide, with one button on each side; the folds to have each three buttons, and three buttons under each pocket; button, No. 3.

Pantaloon and vest, white. Cocked hat, plain half boots and dirk.

Undress.—Same as full dress, excepting the standing collar—the cape to be rolling, without any button.

Masters' mates, same as midshipmen, with an addition of three buttons on each of the cuffs.

Boatswains, gunners, carpenters, sail makers—short blue coats, with eight buttons on each of the lappels; rolling cape, blue pantaloons, white vest, round hats, with cockade; no side arms; button, No. 3.

All other officers permitted to wear blue pantaloons, round hats, and dirks in undress.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The arrival of the queen was confidently announced; and much importance is attached to her return home.

The coronation is to be very economically conducted—to cost *only* 100,000*l*. The dress of a peer and peeress on this occasion, is to cost 1000*l*.

On a question in the house of commons, to abolish the office of fifth baron of the exchequer in Scotland, (a nominal office, which costs 2000*l*. a year) the ministers had a majority of only eight members against it—386 members present.

The subject of the Manchester meeting was again to be brought before parliament.

Sir Francis Burdett told Canina that he was "drunk with insolence," in the house of commons.

It is said, that sir F. Burdett has been fined 5000*l*. and sentenced to three years imprisonment, for writing his famous letter about the Manchester massacre—(see last vol. of the REGISTER, page 110). Sir Charles Wolesley and Mr. Harrison have also been subjected to be imprisoned a year and a half, Mr. Hunt for two years and a half, and several other persons for shorter periods, for alleged offences.

A petition has been presented to the house of commons, by lord Sefton, signed by 400 respectable inhabitants of Liverpool, praying that in the new arrangements respecting the civil list, the crown may be properly restricted in its power of granting pensions and sinecures without the intervention of parliament.

A general meeting of ship owners was held on the 17th May, at the city of London tavern, for the purpose of considering a petition to parliament against any alteration in the existing laws, that may be prejudicial to British shipping.

A barber in Dumfries has been fined 5*l*. for shaving in his own house and shop on a Sunday.

Stocks, May 18—3 per cent. consols 69. Wheat, 69*s*. 8*d*. per quarter.

FRANCE.

The ex-emperor's friends are said to be troublesome, and a number have been arrested.

Societies of ladies are forming at Paris, to provide funds for buying masses for the soul of the duke of Berri, and prayers for the safe delivery of his widow.

French liberty of the press. Mr. B. Constant, a distinguished orator of the party of *liberaux*, has stated to the chamber of representatives, that having been scandalously libelled in one of the minor journals, he had prepared an answer, which fully re-

futed the foul calumniator who had assailed him, when, to his utter astonishment, the reply had been suppressed by the public censors of the press!

NETHERLANDS.

Law case. A person, named Gramer, was arrested and brought before the superior court at Ghent, to answer a charge preferred by a Spanish agent, of enlisting troops for the service of the patriots in South America. His counsel admitted the fact, and, after much argument, Mr. Gramer was acquitted by the court.

SPAIN.

The investigation of the Cadiz massacre was pursuing with great activity. Gens. Campana, Valdez and other distinguished persons, had been arrested.

On the 18th of May, a great bull fight was given at Cadiz, in honor of the adoption of the constitution—in the midst of the scene, the staging erected for the accommodation of the multitude, gave way, and 150 of the people were killed. This was attributed to a design of the priests, and it caused considerable commotion in this city.

GERMANY.

The elector of Hesse lately put a commercial traveller to prison for six months, for finding fault with the state of the roads!

WEST INDIES.

We learn from St. Thomas' that the patriot privateers are very troublesome off that island, capturing and robbing many vessels going in and out.

Several new papers have been established at Havana since the adoption of the new constitution, of rather singular titles—one is called "The Mosquito," another, the "Constitutional Medicine Chest," &c.

The revenue of Cape Henry, Hayti, for 1819, was as follows:

Import duty,	\$147,500
Export do	75,000
Wharfage,	10,000
Wharf fees,	3,000
Total	\$235,500

SOUTH AMERICA.

At our last dates, the constitution had not been proclaimed at Caracas. Morillo waited for official information.

CHRONICLE.

An *Oratorio* was lately performed at St. Paul's church, Baltimore. The music was indeed sweet, but the result much *sweeter*—for, after deducting all necessary expenses, it placed the handsome sum of *seven hundred and three dollars, 67 cents*, in the hands of the ladies directors of the *female charity school*; a well managed and highly interesting institution.

The U. States' ship *John Adams* has sailed for the coast of Africa, to assist the Cyane and Hornet in clearing it of slave ships.

The *Guineamen* begin to act more and more consistently—being pirates as well as manstealers and dealers in the blood of men. Many vessels have lately been robbed by these villains.

The *Rondeau*. Other persons late of the privateer brig *Rondeau*, have been arrested at various places. It would seem that nearly all of the crew are now in confinement. The late captain, Miles, and those who were put in the boat with him, safely reached Granada.

During outrage. We briefly noticed in our last, page 326, the arrival of certain persons at Baltimore

in a pilot boat, late officers, passengers and crew of the Spanish ship *Santiago*, bound from St. Jago de Cuba to this city. By additional particulars we learn, that this vessel was captured within 6 or 7 miles of the land and in six fathoms water, by a brig now called the *Bolivar*, and commanded by Joseph Almeida, of Baltimore, which brig only a few days since left Norfolk under the name of the *Wilson*, with a short crew, a number of persons having left her and others being detained as enlisted illegally—and that she is waiting off our coast until she procures her complement. The \$5,000 in specie which were on board, appears certainly to have belonged to persons in this city; but this was carried off as well as eight of the crew of the *Santiago*, who were impressed into the service of Almeida, notwithstanding their entreaties and tears. Those unfortunates were Spaniards.

It would be well, if light vessels, in instant readiness for service, were stationed at certain of our ports, for the purpose of bringing those who commit acts like the preceding to immediate justice.

Pensioners' muster. On the 28th ultimo, a battalion of revolutionary pensioners mustered in Court-street, Salem, Mass. to make oath to their poverty before the judge. After which they partook of refreshments, and, among others, drank the following toasts:

The memory of gen. Washington—We claim no higher honor than to be called his fellow-soldiers.

The 'bloody 8th' Massachusetts regiment—In every battle, 'the first in, and the last out.'

Our surviving selves—We have lived to see posterity—may posterity not forget us.

Forktown and Saratoga—The day has been we could lead armies captive—we now surrender to enemies none can resist—palsy, rheumatism, asthma, poverty, lameness, blindness, and a host of ills, that beset us like armed men.

The 28th of June, 1778—At Monmouth Court-house we made our marks with our bayonets—The 28th of June, 1820, at Salem Court-house we handle goose-quills to prove our poverty.

The evening of our days—After our sleepless nights on the cold ground, our hard and toilsome marches, and our Valley Forge encampments, may the sunshine of public favor fall on our hoary locks till the end of life's campaign.

Glory. In the *Edinburgh Review* of Dr. Seybert's "Statistical Annals of the United States," there is an admonition to the Americans to abstain from martial glory. "We can inform them, (says the reviewer,) what are the inevitable consequences of being too fond of glory. Taxes upon every article which enters into the mouth, or covers the back, or is placed under the foot—taxes upon every thing which is pleasant to see, hear, feel, smell, or taste—taxes upon warmth, light or locomotion—taxes on every thing on earth, and the waters under the earth—on every thing that comes from abroad, or is grown at home—taxes on the raw material—taxes on every fresh value that is added to it by the industry of men—taxes on the sauce which pampers man's appetite, and the drug that restores him to health—on the ermine which decorates the judge, and the rope which hangs the criminal—on the poor man's salt, and the rich man's spice; on the brass nails of the coffin, and the ribbands of the bride—at bed or at board, couchant or levant, we must pay! The schoolboy whips his taxed toy—the beardless youth manages the taxed horse with

a taxed bridle on a taxed road; and the dying Englishman pouring, his medicine which has paid seven per cent. into a spoon, which has paid fifteen per cent., flings himself back upon his chintz bed which has paid 22 per cent.—makes his will on an 8l. stamp, and expires in the arms of an apothecary, who has paid 100l. for the privilege of putting him to death. His whole property is then taxed from 2 to 10 per cent., besides the probate. Large fees are demanded for burying him in the chancel; his virtues are handed down to posterity on taxed marble, and he is then gathered to his fathers to be taxed no more."

Distance! Quebec is 591 miles from New-York—it is regularly travelled by steam boats and stages in about eighty-four hours.

Penn's treaty with the Indians, 1682, under the elm tree that lately stood in Kensington, Philadelphia. Of this treaty, Voltaire observed—"it was the first made between those people and the Christians that was not ratified with an oath, and that was never broken."

Precious opal.—Two mines of precious opal, have lately been discovered in the kingdom of Mexico, in the district of Gracias de Dios, sixty Spanish miles in the interior of Honduras.—The opals are imbedded in Perulam earth, and are accompanied by all the other varieties of opal, but particularly with the sky-blue Girasol, and the sun opal of Sonnenschmidt.

Rhode-Island. At the late session of the legislature of this state, the amendments to the constitution of the United States, proposed by Pennsylvania, Ohio and Indiana, were rejected.

LAW CASE. From the *New York Commercial Advertiser.* The following important decision has been communicated to us as having recently been made in the state of New-Jersey:

"Phebe, a coloured girl, having been introduced into this state some years since from New-Jersey, by captain D. Hoff, and not registered as the law required, became free. Some time thereafter, she returned to New Jersey to visit her mother, (a free woman) where she was seized by captain Hoff, or his agent, and, by judge Crane of Newark, committed to the jail of Essex county for the crime of being claimed as a slave or servant. On the 16th June inst. application was made to chief justice Kirkpatrick, by Richd. Dean, a coloured man of this city, for a writ of *habeas corpus*, which his honor immediately granted, returnable at his chambers in New-Brunswick on Tuesday the 20th, which writ was served upon the jailor of Essex county, capt. Christie, by the aforesaid Richard Dean. On the 20th, Phebe was brought before the chief justice, when his honor, after examining the return, and the cause of commitment, very promptly declared, that he knew of no law in New Jersey that would authorise the master of a slave or servant to imprison in any jail, such slave or servant; and he therefore ordered the prisoner to be discharged. The chief justice further observed, that a writ of *habeas corpus* did not authorise him to enquire into any other subject than the mere cause of commitment.

This decision may be considered a very important one, and therefore ought to be promulgated not only in the state of New Jersey, but, as it is a very common custom in other places for masters to imprison persons claimed to be slaves, throughout every part of the country where such a practice prevails."

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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If any thing, which should have been noted this week, has been omitted in consequence of the necessary absence of the editor, it shall be attended to in our next—and arrears in correspondence be also brought up.

☞ It being the great purpose of this work to preserve a history of the feelings and manners of the times, as immediately necessary to a correct understanding of the facts recorded, we have resumed a publication of the debate on the *Missouri* question, though what was said on that matter may interest our readers very little just now; and it seems convenient also, that what we expect to insert on this subject, as belonging to the late discussions and decisions, should be contained in the present volume, for easier reference.

It was an irksome task to make a selection of speeches on a matter about which so much has been said, and which seemed to call forth, not only all the talents, but also all the powers of speech-making in the national legislature—and in the six speeches which we intend to publish, in all, an attempt will be made to shew the *argument* and *manner* on both sides of the question. Mr. Taylor's speech, as opening the debate, has already been published, in page 17; Mr. Pinckney's (of S. C.) on the other side, is now given; Mr. Sergeant's shall follow, to be succeeded by Mr. Baldwin's, which we have in manuscript—the others are not yet decided upon.

REVOLUTIONARY PENSIONERS. In our last paper we published certain toasts said to have been drank at Salem, Mass. by some pensioners, assembled to make oath to their "poverty" under the new act for regulating the payment of revolutionary pensions, as particularly set forth in page 227.

One extreme often begets another—yet the present law cannot be more exceptional than the severity of its provisions, than was the act of 1818, on account of its laxity in opening a great door to fraud, by which a vast sum of money has been squandered on objects not contemplated by the national gratitude and sense of justice; and if the existing regulations had been adopted at the *beginning*, it is not probable that they would have been thought so hardly of;—for those whom it was intended to have benefitted, would have received such benefit, to the exclusion of many that have received it, for whom it was not designed. But yet—if error must be committed or suffered, let the error be on the side of justice and mercy—let us not "bend the bruised reed," or break down, by too much rigidity in the law, that sense of honor and honest pride, which the law meant to reward—and rather suffer wrong in a temporary disbursement of money to improper claimants, than permit the worthy "continental" to mourn that he wasted his strength and substance in fighting for that independence which we are so proud of. One case like the following (the subject of which was known to me from my earliest years) would of itself make me willing to pay my share of the amount set apart for revolutionary pensions, in the assurance that there are many such: it is the case of a veteran of the Delaware line, a gentleman who passed through the whole contest with unblemished reputation, as an

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ensign or lieutenant,—and fought in almost every severe action in which either *Washington* or *Green* was engaged, but especially distinguished himself under the latter.

I well remember this old soldier more than thirty years ago. He then had a majestic person, a noble countenance and proud spirit, though he followed the humble profession of a *ditcher*, being a very powerful man, rather than be dependent on any one: but in this he was faithful in his engagements and obliging to his employers, and seemed to carry the *gentleman* into this severe and unpleasant branch of industry; but, on holidays, when dressed in his best clothes, he marched as if at the head of a regiment, without, however, any thing like formality or stiffness in his manner. He was, indeed, a fine looking man, exceedingly well built, and about six feet two inches high. But old age came upon him, and he could not support himself by his labor—his spirit was broken as his constitution failed, and by some unknown neglect, or from some unknown cause, he was compelled to seek a refuge in the common poor house of the county, where the pension law of 1818 found him, cheerless and in misery. The amount allowed to him by that law brought him again into society and provided for him a private home;—with this act of gratitude his spirit returned, and he still lives, I believe, to afford us an excellent sample of the "men of other days," contented and happy. May he live as long as life is desirable to him, and then end it in peace!

In addition to the toasts already inserted, as given on the occasion stated, we have since seen the following "volunteers," which we take this opportunity to record:

By a private of Crane's artillery:

"CHARLES THOMSON, *Secretary*"—a name as familiar and venerable as *Amen*.

By a sergeant of the 27th regiment:

MY SCHEDULE—as follows:

Five hundred dollars in cash in old continental paper money—worth	\$0 00
Six broken knives and forks	0 17
Three chairs, flag bottoms	0 50
Three chairs, bottomless	0 06
Andirons, one leg,—shovel, no tongs	0 20
Bible, Psalm book	1 00
Tobacco box, and three feet pigtail	0 10
Three old prints of generals Washington, Putnam and Lee	invaluable.
A heart, grateful for favors, and never depressed by misfortune	ditto.
So I am independent, tho' I need the pension.	

British Commercial Papers.

Some persons in Great Britain have, "all at once," become opposed to restrictions on trade. It has called to mind the following anecdote, once before published in the *REGISTER*.—"Your religious ceremonies are very imposing," said an English traveller at Rome, to an inhabitant of that famous city, after witnessing some pompous procession, &c. "So they ought to be," said the other, "for they are intended to be exported."

Certain persons in England, no doubt, as well as in America, (and we ourselves perhaps are of the

number in the latter), are pretty nearly disposed to leave all things to "regulate themselves," provided such was the general opinion and concurrence of nations. But no one can expect this to happen: a large part of the revenues of every commercial nation is built upon systems of restriction or imposition on products of the people of other nations. Great Britain, especially, is so situated—if she would allow her subjects to eat and drink, (the great essentials of life), at the cheapest rate that they might, a very large portion of the taxes could not be paid—say, the land taxes, the excises, poor rates, and tythes. One case may be sufficient to shew the whole operation of what is here alluded to: the United States would gladly supply Great Britain with wheat at 100 or 110 cents per bushel; but it now costs the consumer there 200 cents, and it is still nearly 25 cents below the price at which it may be imported from us—for the reason that, unless the price is thus kept up by violence, the land holder and the farmers cannot possibly pay the dues which the necessities of government require. It is thus in respect to fifty other things, and more or less so in regard to almost every civilized country. Hence we believe that, although some may honestly wish for a change in the general policy of Great Britain, as to restrictions on imports and bounties on exports, there are few, if any, in that country, who really expect that parliament can materially change the commercial system of the realm. If the will existed, the power is lost by the wants of the government—which must go on in its old way, and add tax to tax and duty to duty until the national debt is *spunged* by a revolution.

But our present object is only to introduce the following papers, not to enter into the merits of the matter under consideration—to which, though contending interests are sufficiently apparent, we may add, that the land holders and farmers are also begging for *further* protection; and, indeed, situated as they are, they need it—the poor rates alone, in many parts of the country, being of a greater amount per acre, than the very best situated and richest farms in the United States would rent for!

MERCHANTS' PETITION.

To the honorable the house of commons of the united kingdom of Great Britain and Ireland:

The humble petition of the undersigned merchants of the city of London, *sheweth*:

That foreign commerce is eminently conducive to the wealth and prosperity of a country, by enabling it to import the commodities for the production of which the soil, climate, capital and industry of other countries are best calculated, and to export in payment those articles for which its own situation is better adapted.

That freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country.

That the maxim of buying in the cheapest market, and selling in the dearest, which regulates every merchant in his individual dealings, is strictly applicable, as the best rule for the trader of the whole nation.

That a policy founded on these principles, would render the commerce of the world an interchange of mutual advantages, and diffuse an increase of wealth and enjoyments among the inhabitants of each state.

That, unfortunately, a policy the very reverse of this has been, and is, more or less, adopted and acted upon by the government of this and of every other country, each trying to exclude the productions of other countries, with the specious and well

meant design of encouraging its own productions; thus inflicting on the bulk of its subjects who are consumers, the necessity of submitting to privations in the quantity or quality of commodities; and thus rendering what ought to be the source of mutual benefit and of harmony among the states, a constantly recurring occasion of jealousy and hostility.

That the prevailing prejudices in favor of the protective or restrictive system, may be traced to the erroneous supposition that every importation of foreign commodities occasions a diminution or discouragement of our own productions to the same extent; whereas, it may be clearly shewn, that, although the particular description of production which could not stand against unrestrained foreign competition would be discouraged; yet as no importation could be continued for any length of time without a corresponding exportation, direct or indirect, there would be an encouragement, for the purpose of that exportation, of some other production to which our situation might be better suited; thus affording at least an equal, and probably a greater, and certainly a more beneficial, employment to our own capital and labor.

That, of the numerous protective and prohibitory duties of our commercial code, it may be proved that, while all operate as a very heavy tax on the community at large, very few are of any ultimate benefit to the classes in whose favor they were originally instituted, and none to the extent of the loss occasioned by them to other classes.

That among the other evils of the restrictive or protective system, not the least is, that the artificial protection of one branch of industry, or source of production against foreign competition, is set up as a ground of claim by other branches for similar protection; so that if the reasoning upon which these restrictive or prohibitory regulations are founded, were followed out consistently, it would not stop short of excluding us from all foreign commerce whatsoever. And the same train of argument, which, with corresponding prohibitions and protective duties, should exclude us from foreign trade, might be brought forward to justify the re-enactment of restrictions upon the interchange of productions, (unconnected with public revenue), among the kingdoms composing the union, or among the counties of the same kingdom.

That an investigation of the effects of the restrictive system at this time, is peculiarly called for, as it may, in the opinion of your petitioners, lead to a strong presumption that the distress which now so generally prevails, is considerably aggravated by that system; and that some relief may be obtained by the earliest practicable removal of such of the restraints as may be shewn to be most injurious to the capital and industry of the community, and to be attended with no compensating benefit to the public revenue.

That a declaration against the anti-commercial principles of our restrictive system is of the more importance at the present juncture, inasmuch as to several instances of recent occurrence, the merchants and manufacturers in foreign states have assailed their respective governments with applications for further protective or prohibitory duties and regulations, urging the example and authority of this country, against which they are almost exclusively directed, as a sanction for the policy of such measures. And certainly if the reasoning upon which our restrictions have been defended is worth any thing, it will apply in behalf of the regulations of foreign states against us. They insist upon our superiority in capital and machinery, as we do upon their con-

parative exemption from taxation, and with equal foundation.

That nothing would more tend to counteract the commercial hostility of foreign states, than the adoption of a more enlightened and more conciliatory policy on the part of this country.

That, although a matter of mere diplomacy, it may sometimes answer to hold out the removal of particular prohibitions or high duties as depending upon corresponding concessions by other states in our favor, it does not follow that we should maintain our restrictions, in cases where the desired concessions on their part cannot be obtained. Our restrictions would not be the less prejudicial to our own capital and industry, because other governments persisted in preserving impolitic regulations.

That, upon the whole, the most liberal would prove to be the most politic course on such occasions.

That, independent of the direct benefit to be derived by this country on every occasion of such concession or relaxation, a great incidental object would be gained, by the recognition of a sound principle or standard to which all subsequent arrangements might be referred; and by the salutary influence which a promulgation of such just views by the legislature, and by the nation at large, could not fail to have on the policy of other states.

That in thus declaring, as your petitioners do, their conviction of the impolicy and injustice of the restrictive system, and in desiring every practicable relaxation of it, they have in view *only such parts of it as are not connected, or are only subordinately so, with the public revenue.* As long as the necessity for the present amount of revenue subsists, your petitioners cannot expect so important a branch of it as the customs to be given up, nor to be materially diminished, unless some substitute, less objectionable, be suggested. But it is against every restrictive regulation of trade, *not essential to the revenue*—against all duties merely protective from foreign competition, and against the excess of such duties as are partly for the purpose of revenue, and partly for that of protection, that the prayer of the present petition is respectfully submitted to the wisdom of parliament.

Your petitioners, therefore, humbly pray, that your honorable house will be pleased to take the subject into consideration, and to adopt such measures as may be calculated to give greater freedom to foreign commerce, and thereby to increase the resources of the state.

The following is a copy of the Edinburgh petition to the house of commons:

The chamber of commerce and manufactures of the city of Edinburgh, having been instituted by royal charter, for the express purpose of watching over the commercial interests of that part of the united kingdom, humbly conceive it a duty highly incumbent on them, at a period of unprecedented pressure on every branch of mercantile industry, most respectfully to call the attention of the house to the depressed state of foreign commerce, and to offer their opinion of the causes that, in a great measure, contribute to this depression, whereby the general industry of the kingdom is checked, its manufactures consequently deeply injured, and its revenue in danger of being soon most seriously diminished.

It appears to your petitioners, that the system so long persevered in, of laying heavy duties on imports from foreign countries, tends directly to les-

sen the demand in those countries for the produce of the industry of our own nation.

That the doctrine maintained by many statesmen, that, in order to accumulate wealth by trade, a nation must export more than it imports, is erroneous.

That upon this erroneous doctrine is founded the present commercial policy of this country.

It appears to your petitioners, that the profits derived from the exportation of the produce of our manufactures, agriculture, fisheries and mines, can, in no other shape, be realized or made effective to the increase of the national wealth, but in the form of imports.

That it appears to your petitioners that the sure way to increase foreign commerce is, to encourage the industry of other nations with whom we trade, or, in other words, to enable them to become our customers.

That, to that end, we should admit on low duties the raw produce of other countries, and such articles of commerce as we are precluded from producing by climate or other circumstances.

That your petitioners consider that the high duties on Baltic wood and iron, on wines, and more particularly on French wines, on raw silk, and on many other articles of trade, the produce of foreign countries have, directly or indirectly, lessened the demand in those countries for the productions of the realm—for, by checking the industry of those foreign nations, we disable them from being our customers, and we hold out an example to their governments, to lay on heavy duties on the manufactures and other exports from this country.

That it appears to your petitioners, that this system of restrictive commerce has been followed since the peace, by the government of almost every nation with which we trade, in strict conformity with the system adopted by Great Britain.

That, whatever may be the perseverance of other nations in this system, the British government should begin a more liberal and wise commercial policy, without regard to reciprocity of benefit between us and any particular nation, because, by encouraging an increased import from one nation, we are certain of gaining an increased export directly to that nation, or intermediately to some other nation.

That it appears to your petitioners, that such a liberal system of commercial policy which is thus humbly submitted to the consideration of the honorable house, would produce a greater revenue, from the increased quantity of imports, although subject only to low duties, and at the same time would promote national industry, as a consequence of proportional increase of exports.

Petition of the London ship owners.

To the honorable the commons of the united kingdom of Great Britain and Ireland, in parliament assembled.

The humble petition of the undersigned ship owners of London,

Sheweth:—That the attention of your petitioners has been attracted to a petition which has been lately presented to your honorable house by certain merchants of this city, praying for revision of the commercial system established by the existing restrictive revenue laws.

That the said petitioners declaring the prayer of their said petition to be 'against every restrictive regulation of trade not essential to the revenue, and against all duties merely protective from foreign competition,' your petitioners cannot contemplate,

without anxiety, the possible admission of a principle which recognizes the advantage alone as the guide in framing our commercial code, overlooking the claims to protection which your petitioners humbly conceive those numerous classes of the community to possess whose capitals have been embarked in trades, which, being considered of importance to the security and greatness of the country, have been protected and have flourished under the existing system, and must still depend for its prosperity upon its permanence.

That, understanding one of the chief objects which the said petitioners seek to obtain, is a relaxation of the navigation laws, your petitioners would earnestly implore your honorable house to pause ere it sanction an alteration in our maritime code, and to weigh well the consequences of a departure from that policy under which our commercial marine has attained to unexampled prosperity, and our navy to unrivalled power.

Your petitioners entreat of your honorable house to bear in mind that the experience of more than two centuries has shown the advantage of adhering to a system, which, by encouraging shipping and navigation, has so greatly contributed to the strength and general prosperity of the empire; and they beg to state to your honorable house their firm conviction that this system cannot be departed from in any material respect without a loss of trade in British ships, in proportion to the increase of foreign trade which might be thereby obtained and the consequent sacrifice of British navigation, and all the important interests dependent thereon.

That your petitioners, however, would have forborne to approach your honorable house with this expression of their anxiety, in the confidence that they might safely rely on the wisdom of the legislature to protect from the risk of unadvised experiment interests so vast and so truly national as those of British shipping, had they only, as in the case of the proposed alteration of the navigation laws, been menaced with direct attack; but your petitioners, having observed that it is also sought to procure an alteration of the existing duties on timber in favor of foreign commerce, cannot refrain from declaring to your honorable house, respectfully, but unhesitatingly, their belief that such a measure would be fraught, beyond any other change in our existing system that could be devised, with consequences disastrous to the British ship owner. This danger, the greater as it is obvious they feel themselves peculiarly called upon to point out.

That, although the primary motive of the legislature, in encouraging the importation of timber from the British colonies, might not be the interests of navigation, yet it has proved to be admirably calculated for that object, as will appear by the following statement of the progressive increase of the tonnage employed in that trade, viz:—The number of ships cleared out from Great Britain to the British North American colonies was—

	SHIPS.	TONS.	MEN.
In the year 1814	573	112,731	6,707
1815	871	174,575	9,701
1816	772	170,375	8,814
1817	1009	194,996	10,375
1818	1327	288,501	15,108
1819	1525	340,587	17,634

That this new channel of employment opened most opportunely for the relief of British shipping, at a period of unprecedented depression; the effect of a transition from war to peace having been more severely felt by your petitioners than by any other class of commercial capitalists, from the circum-

stance, in a great degree, of 900 sail of the largest kind of merchant vessels, employed in the service of government during the war, having been thrown at once upon the market, upon the cessation of the transport service.

That, in the year 1819, the whole number of British ships that cleared out of the ports of Great Britain, including their repeated voyages, amounted to 18,371, of the burden of 2,250,927 register tons, and navigated by 137,703 men. Of this number, 1,525 ships, of the burden of 340,587 register tons, and navigated by 17,634 men, cleared out for the ports of British North America, almost wholly for the purpose of bringing home timber, being one-seventh part of the entire carrying trade of the country.

That the whole of this trade is peculiarly and pre-eminently British, the prime cost of the timber being paid for in British manufactures, and the freight being paid to British ships; so that the entire sum expended for the article in Great Britain goes through British channels, and contributes more or less to the benefit of native interests, and the maintenance of the national revenue.

That if such alteration be made as would throw our ports more widely open to the timber of the Baltic and Norway, this intercourse, so important to the country generally, and of such vital interest to the ship owner, would be annihilated, or reduced altogether to insignificance.

That, from the length and difficulty of the voyage, the larger part of the value of timber imported hither from North America consists of freight.

That the mere circumstances of the proximity of the northern ports of Europe, by enabling ships to repeat their voyages frequently in the course of the year, would alone reduce the number of British vessels employed in the carrying trade of timber to one-third of their present amount.

That this would be the effect without taking into consideration the influence of foreign competition; but experience has already shown the difficulty of successfully contending with the ships of the north of Europe in bringing the timber of those countries, partly from the low rate of their outfit and mode of navigation—partly from the natural predilection of the foreigners interested in this trade for employing their own vessels.

That, combining both the abovementioned considerations, namely, the shortness of the voyage, and the competition of foreigners, your petitioners do not fear contradiction in stating their belief, that for every foreign ship which should be thus employed, three British ships of equal size would be left unemployed; and your petitioners have good ground for believing that the ship owners of the north of Europe (at present in a state of much difficulty) are not the parties looking with the least anxiety to the decision which the British government may form upon this important question.

That your petitioners would submit to your honorable house, whether, for the sacrifice of interests so momentous, any advantage, they will not say equivalent, but approaching to equivalent, be held out.

It is contended that the foreign timber thus admitted would enlarge the demand for British manufacture; the fact, on the contrary, however, is that the growers and importers of Norwegian and Baltic timber take but a very small proportion of its price in articles of British production; every cargo imported would come in diminution of the quantities taken from our own colonies, and would divert capital and the powers of capital from the inhabitants

of a rising country; all whose wants and habits are formed upon the use of articles exclusively British, to aliens, whose consumption of such produce is comparatively partial and trifling.

That your petitioners would further submit to your honorable house, whether the freight of the timber imported could be more beneficially bestowed for this country than at present? Of its present large amount, 1,400,000, almost the whole is consumed in an outfit, of which every article has employed British artizans, and paid heavy duties to the British exchequer; the larger portion of the residue pays the wages of British seamen; for but a very small part goes to form the rate of interest upon the depreciated capital of the ship owner.

That your petitioners also beg to state, that this trade has peculiar advantages as a nursery for hardy seamen, from the nature both of the climate and the voyage; the ships employed in it, taking an unusual number of apprentices, who, in a few years, become sailors of the most valuable description.

That, in conclusion, your petitioners earnestly implore of your honorable house to reflect what would be the consequence of throwing out of employment almost the whole of the seamen now employed in the North American timber trade; for your petitioners declare, that they know not where to look for a substitute if this branch of the carrying trade be taken from them, laboring, as they are, under serious difficulties in meeting the rivalry of surrounding states.

That your petitioners, therefore, entreat your honorable house that, before any step be taken in a matter so deeply interesting to them (and as they believe, so important to the community at large,) or any pledge of alteration be given, they may be permitted to prove at the bar of your honorable house the allegations contained in this their humble petition, which they entertain perfect confidence they can do to the entire conviction of your honorable house. And your petitioners, as in duty bound, will ever pray.

London, May 16, 1820.

Missouri Question.

SPEECH OF MR. PINCKNEY, OF S. CAROLINA,
IN THE HOUSE OF REPRESENTATIVES.

Mr. Chairman: It was not my intention at first, and it is not now my wish, to rise on this important question: one that has been so much and so ably discussed in both branches of congress: one that has been the object of so many meetings of the people in the different states, and of so many resolutions of their legislatures and instructions to their members: but I am so particularly circumstanced, that it is impossible to avoid it. Coming from one of the most important of the southern states, whose interests are deeply involved, and representing here a city and district, which, I believe, export more of our native products than any other in the union; having been also a member of the old congress, some important acts of which are brought into question on this occasion, and above all, being the only member of the general convention which formed the constitution of the United States, now on this floor, and on whose acts rests the great question in controversy, how far you are or are not authorized to adopt this measure, it will, from all these circumstances, be seen, that it is impossible for me to avoid requesting your permission to state some observations in support of the vote I shall give on a question, certainly, the most important that can come before congress: one, to say the least of it, on

which may depend, not only the peace, the happiness, and the best interests, but, not improbably, the existence of that union which has been, since its formation, the admiration of the world, and the pride, the glory, and the boast, of every American bosom that beats within it.

In performing this solemn duty, I trust I shall do it with that deference to the opinions of others which it is always my duty to shew on this respectable floor, and that I shall be as short as the nature of the subject will permit, and completely moderate. Indeed, in questions of this importance, moderation appears to me to be indispensable to the discovery of truth. I, therefore, lament extremely that so much warmth has been unnecessarily excited, and shall, in the remarks I may make, studiously avoid, what I conceive the decorum of debate ought to enjoin upon every member.

At the time I left, or sailed, from the city I here represent, scarcely a word was said of the Missouri question: no man there ever supposed that one of such magnitude was before you. I, therefore, have, since the serious aspect this subject has assumed, received numerous enquiries on it, and wishes to know my opinion as to the extent and consequences of it. I have candidly replied, that, so far as respects the regaining an ascendancy on both the floors of congress; of regaining the possession of the honors and offices of our government; and of, through this measure, laying the foundation of forever securing their ascendancy, and the powers of the government, the eastern and northern states had a high and deep interest. That, so far as respects the retaining the honors and offices and the powers of the government, and the preventing the establishment of principles to interfere with them, the southern and western states had equal interest with the northern. But that, when we consider to what lengths the right of congress to touch the question of slavery at all might reach, it became one, indeed, of tremendous import.

Among the reasons which have induced me to rise, one is to express my surprise. Surprise, did I say? I ought rather to have said, my extreme astonishment at the assertion I heard made on both floors of congress, that, in forming the constitution of the United States, and particularly that part of it which respects the representation on this floor, the northern and eastern states, or, as they are now called, the non-slave-holding states, have made a great concession to the southern, in granting them a representation of three-fifths of their slaves; that they saw the concession was a very great and important one at the time, but that they had no idea it would have so soon proved itself of such consequence; that it would so soon have proved itself to be by far the most important concession that had been made. They say, that it was wrung from them by their affection to the union, and their wish to preserve it from dissolution or disunion; that they had, for a long time, lamented they had made it; and that, if it was to do over, no earthly consideration should again tempt them to agree to so unequal and so ruinous a compromise. By this I suppose, Mr. Chairman, is meant, that they could have had no idea that the western and southern states would have grown with the rapidity they have, and filled so many of the seats in this house; in other words, that they would so soon have torn the sceptre from the east.

It was, sir, for the purpose of correcting this great and unpardonable error: unpardonable, because it is a wilful one, and the error of it is well known to the ablest of those who make it; of denying the as-

section, and proving that the contrary is the fact, and that the concession, on that occasion, was from the southern and not the northern states, that, among others, I have risen.

It is of the greatest consequence, that the proof I am about to give, should be laid before this nation, for, as the inequality of representation is the great ground on which the northern and eastern states have always, and now more particularly and forcibly than ever, raised all their complaints; on this subject, if I can shew and prove that they have not even a shadow of right to make pretences or complaints; that they are as fully represented as they ought to be; while we, the southern members, are unjustly deprived of any representation for a large and important part of our population, more valuable to the union, as can be shewn, than any equal number of inhabitants in the northern and eastern states can, from their situation, climate and productions, possibly be.—If I can prove this, I think I shall be able to shew, most clearly, the true motives which have given rise to this measure; to strip the thin, the cobweb veil, from it, as well as the pretended ones of religion, humanity, and love of liberty; and to shew, to use the soft terms the decorum of debate oblige me to use, the extreme want of modesty in those who are already as fully represented here as they can be, to go the great lengths they do in endeavoring, by every effort in their power, public and private, to take from the southern and western states, which are already so greatly and unjustly deprived of an important part of the representation, a still greater share; to endeavor to establish the first precedent, which extreme rashness and temerity have ever presumed, that congress has a right to touch the question and legislate on slavery; thereby shaking the property in them, in the southern and western states, to its very foundation, and making an attack, which, if successful, must convince them that the northern and eastern states are their greatest enemies; that they are preparing measures for them which even Great Britain, in the heat of the revolutionary war, and when all her passions were roused by hatred and revenge to the highest pitch, never ventured to inflict upon them. Instead of a course like this, they ought, in my judgment, sir, to be highly pleased with their present situation; that they are fully represented while we have lost so great a share of our representation; they ought, sir, to be highly pleased at the dexterity and management of their members in the convention, who obtained for them this great advantage; and, above all, with the moderation and forbearance with which the southern and western states have always borne their many bitter provocations on this subject, and now bear the open, avowed, and, by many of the ablest men among them, undisguised attack, on our most valuable rights and properties.

At the commencement of our revolutionary struggle with Great Britain, all the states had slaves.—The New England states had numbers of them, and treated them in the same manner the southern did. The northern and middle states had still more numerous bodies of them, although not so numerous as the southern. They all entered into that great contest with similar views, properties and designs. Like brethren, they contended for the benefit of the whole, leaving to each the right to pursue its happiness in its own way.

They thus nobly toiled and bled together, really like brethren; and it is a most remarkable fact, that, notwithstanding, in the course of the revolution, the southern states were continually overrun by the British, and that every negro in them had an op-

portunity of leaving their owners, few did; proving thereby, not only a most remarkable attachment to their owners, but the mildness of the treatment, from which their affection sprang. They then were, as they still are, as valuable a part of our population to the union, as any other equal number of inhabitants. They were, in numerous instances, the pioneers, and, in all, the laborers, of your armies. To their hands were owing the erection of the greatest part of the fortifications raised for the protection of our country; some of which, particularly Fort Moultrie, gave, at an early period of the inexperience and untried valor of our citizens, immortality to American arms; and in the northern states, numerous bodies of them were enrolled into, and fought by the sides of the whites, the battles of the revolution.

Things went on in this way until the period of our attempting to form our first national compact, the confederation, in which the equality of vote was preserved, and the first squeamishness on the subject of not using, or even alluding to, the word slavery, or making it a part of our political machinery, was shewn. In this compact the value of the lands and improvements was made the rule for apportioning the public burdens and taxes. But the northern and eastern states, who are always much more alive to their interests than the southern, found that their squeamishness was inconsistent with their interest: and, as usual, made the latter prevail. They found it was paying too dear for their qualms, to keep their hands from the slaves any longer. At their instance, and on their motion, as will appear by a reference to the journals of the old congress, the making lands the rule, was changed, and people, including the whites and three-fifths of other descriptions, was adopted. It was not until 1781, that the confederation was adopted by, and became binding on, all the states. This miserable, feeble mockery of government, crawled on until 1785, when, from New-York's refusing to agree with all the states to grant congress the impost, (I am not sure, but I believe, she stood alone in the refusal), the states determined no longer to put up with her conduct, and absolutely rebelled against the government. The first state that did so, was New Jersey, who, by a solemn act, passed in all its proper forms by her legislature and government, most positively and absolutely refused any longer to obey the requisitions of congress, or pay another dollar. As there was no doubt other states would soon follow their example, as Pennsylvania shortly did, congress, aware of the mischiefs which must arise, if a dissolution took place of the union before a new government could be formed, sent a deputation of their own body to address the legislature of New-Jersey, of which I was appointed chairman. We did repair there, and addressed them, and I had the honor and happiness to carry back with me to congress the repeal of her act by Jersey: a state, during the whole of the revolutionary war, celebrated for her patriotism, and who, in this noble self-denial and forgetfulness of injuries inflicted by New-York on her, and the rest of the union, exhibited a disinterestedness and love of union, which did her the highest honor.

The revolt of New-Jersey and Pennsylvania accelerated the new constitution. On a motion from Virginia, the convention met at Philadelphia, where, as you will find from the journals, we were repeatedly in danger of dissolving without doing any thing; that body being equally divided as to large and small states, and each having a vote, and the small states insisting, most pertinaciously, for new

six weeks, on equal power in both branches, nothing but the prudence and forbearance of the large states saved the union. A compromise was made, that the small and large states should be equally represented in the senate, and proportionally in the house of representatives. I am now arrived at the reason for which I have, sir, taken the liberty to make these preliminary remarks. For, as the true motive for all this dreadful clamor through the union, this serious and eventful attack on our most sacred and valuable rights and properties, is, to gain a fixed ascendancy in the representation in congress; and, as the only flimsy excuse under which the northern and eastern states shelter themselves, is, that they have been hardly treated in the representation in this house, and that they have lost the benefit of the compromise they pretend was made, and which I shall most positively deny, and show that nothing like a compromise was ever intended.

By all the public expenses being borne by indirect taxes, and not direct, as was expected—if I can shew that all their pretensions and claims are wholly untrue and unfounded, and that, while they are fully represented, they did, *by force*, or something like it, deprive us of a rightful part of our representation, I shall then be able to take the mask from all their pretended reasons and excuses, and show this unpardonable attack, this monster, in its true and uncovered hideousness.

Long before our present public distresses had convinced, even the most ignorant and uninformed politician, of the truth of the maxim I am about to mention, all the well-informed statesmen of our union knew that the only true mode for a large agricultural and commercial country to flourish, was, never to import more than they can pay for by the export of their own *native products*; that, if they do, they will be sure to plunge themselves into the distressing and disgraceful situation this country is in at present.

If, then, this great political truth, or maxim, or call it what you please, is most unquestionable, let us now see who supports this government—who raises our armies, equips our navies, pays your public debt, enables you to erect forts, arsenals, and dock-yards? Who nerves the arm of this government, and enables you to lift it for the protection, the honor, and extension of our beloved republic, into regions where none but brutes and savages have before roamed? Who are your real *sinews in war*, and the best—I had almost said, nearly the only *sinews and sources* of your commerce in peace? I will presently tell you.

If, as no doubt, you will in future confine your imports to the amount of your exports of native products, and all your revenue is to be, as it is now, raised by taxes or duties on your imports, I ask you who pays the expense, and who, in fact, enables you to go on with your government at all, and prevents its wheels from stopping? I will shew you by the papers which I hold in my hand. This, sir, is your secretary of the treasury's report, made a few weeks ago, by which it appears that all the exports of native products, from Maine to Pennsylvania, inclusive, for the last year, amounted to only about eighteen millions of dollars; while those among the slave-holding states, to the southward of Pennsylvania, amounted to thirty-two millions or thereabouts, thereby enabling themselves, or acquiring the right, to import double as much as the others, and furnishing the treasury with double the amount the northern and eastern states do. And here let me ask, from whence do these exports arise? By whose hands are they made? I answer,

entirely by the slaves; and yet these valuable inhabitants, without whom your very government could not go on, and the labor of two or three of whom in the southern states is more valuable to it than the labor of five of their inhabitants in the eastern states, the states owning and possessing them are denied a representation but for three-fifths on this floor, while the whole of the comparatively unproductive inhabitants of the northern and eastern states are fully represented here. Is it just, is this equal? And yet they have the modesty to complain of the representation, as unjust and unequal; and that they have not the return made them they expected, by taxing the slaves, and making them bear a proportion of the public burdens. Some writers on political economy are of opinion, that the representation of a state ought always to be equally founded on population and taxation. It is my duty to believe that these are the true criterions; for my own state (South Carolina) having, in her house of representatives, 124 members, 62 of them are apportioned by the white population, and 62 on taxation; thus representing the contributions of our citizens in every way, whether arising from services or taxes.

Before I proceed to the other parts of this question, I have thus endeavored to give a new view of the subject of representation in this house; to shew how much more the eastern and northern states are represented than the southern and western; how little right the former have to complain, and how unreasonable it is that, while, to continue the balance of representation in the senate, we consent to give admission to Maine, to make up for Missouri, they most unconscionably require to have both, and thus add four to the number now preparing, most cruelly, to lift the arm of the government against the property of the southern and western states.

If I have succeeded, as I hope I have, in proving the unreasonableness of the complaints of the eastern and northern states on the subject of representation, it would, I suppose, appear extraordinary to the people of this nation that this attempt should now be made, even if congress should be found to possess the right, to legislate or interfere in it. But if, in addition to this, it should be in my power to shew that they have not the most distant right to interfere, or to legislate at all upon the subject of slavery, or to admit a state in any way whatever, except on terms of perfect equality; that they have no right to make compacts on the subject, and that the only power they possess is to see that the government of the state to be admitted is a republican one, having legislative, executive and judiciary powers, the rights of conscience, jury, a habeas corpus, and all the great leading principles of our republican systems, well secured, and to guarantee them to it; if I shall be able to do this, of course the attempt must fail, and the amendment be rejected.

The supporters of the amendment contend, that congress have the right to insist on the prevention of involuntary servitude in Missouri; found the right on the 9th section of the 1st article, which says, "the migration or importation of such persons as the states now existing may think proper to admit, shall not be prohibited by the congress prior to the year 1808, but a tax or duty may be imposed on such importation not exceeding ten dollars."

In considering this article, I will detail, as far as at this distant period is possible, what was the intention of the convention that formed the constitution in this article. The intention was, to give to congress a power, after the year 1808, to prevent

the importation of slaves either by land or water from other countries. The word import, includes both, and applies wholly to slaves. Without this limitation, congress might have stopped it sooner, under their general power to regulate commerce, and it was an agreed point, a solemnly understood compact, that, on the southern states consenting to shut their ports against the importation of Africans, no power was to be delegated to congress, nor were they ever to be authorized to touch the question of slavery; that the property of the southern states in slaves was to be as sacredly preserved, and protected to them, as that of land, or any other kind of property in the eastern states were to be to their citizens.

The term, or word, migration, applies wholly to free whites; in its constitutional sense, as intended by the convention, it means "voluntary change of servitude" from one country to another. The reasons of its being adopted and used in the constitution, as far as I can recollect, were these: that the constitution being a frame of government, consisting wholly of delegated powers, *all power, not expressly delegated, being reserved to the people or the states*, it was supposed that, without some express grant to them of power on the subject, congress would not be authorized ever to touch the question of migration hither, or emigration to this country, however pressing or urgent the necessity for such a measure might be; that they could derive no such power from the usages of nations, or even the laws of war; that the latter would only enable them to make prisoners of alien enemies, which would not be sufficient, as spies or other dangerous emigrants who were not alien enemies, might enter the country for treasonable purposes, and do great injury; that, as all governments possessed this power, it was necessary to give it to our own, which could alone exercise it, and where, on other and much greater points, we had placed unlimited confidence; it was, therefore, agreed that, in the same article, the word migration should be placed; and that, from the year 1808, congress should possess the complete power to stop either or both, as they might suppose the public interest required; the article, therefore, is a *negative pregnant*, restraining for twenty years, and giving the power after.

The reasons for restraining the power to prevent migration hither for twenty years, were, to the best of my recollection, these: That as, at that time, we had immense and almost immeasurable territory, peopled by not more than two millions and a half of inhabitants, it was of very great consequence to encourage the emigration of able, skilful and industrious Europeans. The wise conduct of William Penn, and the unexampled growth of Pennsylvania, were cited. It was said, that the portals of the only temple of true freedom now existing on earth, should be thrown open to all mankind; that all foreigners of industrious habits should be welcome, and none more so than men of science, and such as may bring to us arts we are unacquainted with, or the means of perfecting those in which we are not yet sufficiently skilled—capitalists, whose wealth may add to our commerce or domestic improvements; let the door be ever and most affectionately open to illustrious exiles and sufferers in the cause of liberty: in short, open it liberally to science, to merit, and to talents, wherever found, and receive and make them your own. That the safest mode would be to pursue the course for twenty years, and not, before that period, put it at all in the power of congress to shut it; that, by that time, the union would be so settled, and our

population would be so much increased, we could proceed on our own stock, without the farther accession of foreigners; that, as congress were to be prohibited from stopping the importation of slaves to settle the southern states, as no obstacle was to be thrown in the way of their increase and settlement for that period, let it be so with the northern and eastern, to which, particularly New-York and Philadelphia, it was expected most of the emigrants would go from Europe; and it so happened, for, previous to the year 1808, more than double as many Europeans emigrated to these states, as of Africans were imported into the southern states.

I have, sir, smiled at the idea of some gentlemen in supposing that congress possessed the power to insert this amendment, from that which is given in the constitution to *regulate commerce between the several states*; and some have asserted that, under it, they not only have the power to inhibit slavery in Missouri, but even to prevent the migration of slaves from one state to another—from Maryland to Virginia. The true and peculiarly ludicrous manner in which a gentleman from that state lately treated this part of the subject, will, no doubt, induce an abandonment of this pretended right; nor shall I stop to answer it, until gentlemen can convince me that migration does not mean change of residence from one country or climate to another, and that the United States are not one country, one nation, or one people; if the word does mean, as I contend, and we are one people, I will then ask; how it is possible to migrate from one part of a country to another part of the same country? Surely, sir, when such straws as these are caught at to support a right, the hopes of doing so must be slender indeed. I will only mention here, as it is perfectly within my recollection, that the power was given to congress to regulate the commerce by water between the states, and it being feared by the southern that the eastern would, whenever they could, do so to the disadvantage of the southern states, you will find in the 9th section of the 1st article, congress are prevented from taxing exports, or giving preference to the ports of one state over another, or obliging vessels bound from one state to clear, enter, or pay duties in another; which restrictions, more clearly than any thing else, prove what the power to regulate commerce among the several states means.

The gentlemen, being driven from these grounds, come then to what they call their great and impregnable right—that, under the 3d section of the 4th article, it is declared, new states may be admitted into this union by the congress; and that, by the latter clause of the same section, the congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By the first clause, they contend, congress has an ample and unlimited command over the whole subject; that they can reject the admission of a state altogether, or can admit one and impose such conditions, or make such compacts with a state, as they please; and that, unless a state accepts the offers they may make, they may refuse her admission. Let us first enquire what the laws of nations call a state. Vattel says, "nations or states are bodies politic: societies of men united together to procure their mutual safety and advantage by means of their union. Such a society has its affairs and interests; it deliberates and resolves in common, and thus becomes a moral person, having an understanding and a will peculiar to itself, and is susceptible of obligations and laws." This is what he calls a state.

What do we call one? A territory inhabited by a people living under a government formed by themselves, which government possesses, in a republican form, all the legislative, executive and judiciary powers necessary to the protection of the lives, liberties, characters and properties of their citizens, or which they can exercise for their benefit, and have not delegated to the general government, for the common defence and general welfare of an union, composed of a number of states, whose rights and political powers are all perfectly equal; that, among these, one of the most important is, that of deciding for themselves what kind of persons shall inhabit their country, no others being either so capable or fit to judge on this very important point as respects their private happiness as themselves, as they alone are either to suffer or be benefitted from the injudicious or wise choice they may make; that, as the other states possess completely this power, Missouri has the same right; that, if she were inclined, she could not give to congress the right to decide for her, nor could the latter accept it; that all the inhabitants of Missouri being against the prohibition, to insist on it, is to entirely put it out of her power to enter the union, and to keep her in a state of colonial tyranny; that, if you can exercise this right, where will you stop? May you not dictate to her the nature of the government she shall have? may you not give her plural executive, a legislature for six, and judges for one year? If you say there shall be no slavery, may you not say there shall be no marriage? may you not insist on her being different in every respect from the others? Sir, if you are determined to break the constitution in this important point, you may even proceed to do so in the essences of the very form you are bound to guarantee to them. Instead of endeavoring to lessen or injure the force and spirit of the state governments, every true friend of his country ought to endeavor, as far as he can, to strengthen them; for, be assured, it will be to the strength and increase of our state governments, more than any other, that the American republic will owe its firmness and duration.

The people of Europe, from their total ignorance of our country and government, have always imagined, that its great extent, when it came to be thickly peopled, would occasion its separation; this is still the opinion of all, and the hope of many, there; whereas, nothing can be more true in our politics, than that, in proportion to the increase of the state governments, the strength and solidity of the federal government is augmented: so that, with twenty or twenty-two governments, we shall be much more secure from disunion than with twelve, and ten times more so than if we were a single or consolidated one. By the individual states exercising, as they do, all the powers necessary for municipal or individual purposes—trying all questions of property, and punishing all crimes not belonging, in either case, to the federal courts, and leaving the general government at leisure and in a situation solely to devote itself to the exercise of the great powers of war and peace, commerce and our connections with foreigners, and all the natural authorities delegated by the constitution, it eases them of a vast quantity of business that would very much disturb the exercise of their general powers. Nor is it clear that any single government, in a country so extensive, could transmit the full influence of the laws necessary to local purposes through all its parts; whereas, the state governments, having all a convenient surrounding territory, exercise these powers with ease, and are always at hand to give aid to the federal tribunals and officers placed

among them to execute their laws, should assistance be necessary. Another great advantage is, the almost utter impossibility of erecting among them the *standard of faction*, to any alarming degree, against the union, so as to threaten its dissolution, or produce changes in any but a constitutional way. It is well known, that faction is always much more easy and dangerous in small than large countries; and when we consider, that, to the security afforded by the extent of our territory, are to be added, the guards of the state legislature, which, being selected as they are, and always the most proper organs of their citizens' opinions as to the measures of the general government, stand as alert and faithful sentinels to disprove, as they did in the times that are past, such acts as appear impolitic or unconstitutional, or to approve and support, as they have frequently done since, such as were patriotic or praiseworthy. With such guards, it is impossible for any serious opposition to be made to the federal government on slight or trivial grounds: nor, through such an extent of territory or number of states, would any but the most tyrannical or corrupt acts claim serious attention; and, whenever they occur, we can always safely trust to a sufficient number of the states arraying themselves in a manner to produce, by their influence, the necessary reforms, in a peaceable, and legal mode. With twenty-four or more states, it will be impossible, sir, for four or five states, or any comparatively small number, ever to threaten the existence of the union. They will be easily seen through by the other eighteen or twenty, and trowed into insignificance and submission to the general will, in all cases where the proceedings of the federal government are approved by them. And, even in cases where doubts may arise as to the wisdom or policy of their measures, all factious measures will be made to wait constitutional redress, in the peaceable manner prescribed by the constitution.

Without the instrumentality of the states in a country so large and free, and with their government at a great distance from its extremities, there would be considerable danger of faction; but, at present, there is very little, and as the states increase, the danger will lessen; and it is this admirable *expanding principle or system*, if I may use the terms, which, while it carries new states and governments into our unsettled forests, and increases the population and resources of the union, must, unquestionably, at the same time, add to its means to resist and repress, with ease, all attacks of foreign hostility or domestic faction. It is this system (which is not at all understood in Europe, and too little among ourselves), that will long keep us a strong and united people; nor do I see any question, but the one which respects slavery, that can ever divide us.

The question being on the admission of a new state, I hope these remarks will be considered as in point, as they go to show the importance of the state governments, and how really, and indeed, indispensably, they are the pillars of the federal government, and how anxious we should be to strengthen, and not to impair them; to make them all the strong and equal supporters of the federal system.

With respect to Louisiana, congress have already, by their acts, solemnly ratified the treaty which extends to all the states, created out of that purchase, the benefits of an admission into the union, on equal terms with the old states; they gave to Louisiana first, and afterwards to Missouri and Arkansas, territorial governments, in all which they

agreed to the admission of slaves. Louisiana was incorporated into the union, allowing their admission; Missouri was advanced to the second grade of territorial government, without the prohibition of slavery: thus, for more than sixteen years, Missouri considered herself precisely in the situation of her sister Louisiana, and many thousands of slaves have been carried by settlers there. To deny it then now, will operate as a snare, unworthy the faith of this government. What is to be done? Are the slaves now there to be manumitted, or their masters obliged to carry them away, break up all their settlements, and, in this most unjust and unexpected manner, to be hurled into ruin? If we are to pay no respect to the constitution, or to treaties, are we to pay no respect to our own laws, by which the faith of the nation has, for sixteen years, been solemnly pledged, that no prohibition would take place, as to slavery, in those states? I have said so much, to show how important it is to the firmness and duration of the American union, to preserve the states and their governments in the full possession of all the rights secured by the constitution.

I have hitherto said nothing of the treaty, as I consider the rights of Missouri to rest on the constitution so strongly, as not to require the aid of the treaty. But I will, at the same time, say that, if there was no right, under the constitution, the treaty, of itself, is sufficient, and fully so, to give it to her. Let us, however, shortly examine the treaty—the words are: "The inhabitants of the ceded territory shall be incorporated in the union of the United States, and admitted, as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages and immunities, of citizens of the United States." Of these it is particularly observable that, to leave no doubt on the mind of either of the governments which formed it, or of any impartial man, so much pains are taken to secure to Louisiana all the rights of the states of the American union, a singular and uncommon surplussage is introduced into the article: either of the words, *immunities, rights or advantages*, would have been, of itself, fully sufficient. *Immunity* means privilege, exemption, freedom—*right* means justice, just claim, privilege—*advantage* means convenience, gain, benefit, favorable circumstance. If either word, therefore, is sufficient to give her a right to be placed on an equal footing with the other states, who shall doubt of her right, when you now find that your government has solemnly pledged itself to bestow on, and guarantee to Louisiana all the privileges, exemptions, and freedom, rights, immunities and advantages, justice, just claims, conveniences, gains, benefits and favorable circumstances, enjoyed by the other states?

In speaking of treaties, Vattel, &c. states as follows: "the implicit submission to their authority which is exhibited every where, proves the strength, indeed, unanswerable strength, in which it is founded."

These writers say, that every thing which the public safety renders inviolable is sacred in society. Who, then, can doubt that treaties are in the number of those things that are held most sacred by nations? They determine the most important affairs; give rules to their pretensions; and secure their most precious interests. But treaties are only vain words, if they are not considered as inviolable rules to sovereigns, and as sacred throughout the whole world. Treaties are, then, most holy and sacred among nations; and, if people are not wanting to themselves, infamy must ever be the share of him who violates his faith; for, in doing so, he violates

the law of nations; he despises that faith which they declare sacred; he is doubly guilty, he does an injury to all nations, and wounds the whole human race.

If this is the reasoning of the best writers on the laws of nations, are we now disposed, for the first time, to be the instruments of rendering this nation infamous in the eyes of the whole world, and wound the human race? Are we, who have so frequently charged the English and Spaniards with a breach of treaties and of faith, now to become breakers of treaties ourselves—exhibit our hitherto honorable, and even uncharged republic, as an evil example to other governments? Are we, who have always kept our treaties with scrupulous faith with our Indian neighbors, and considered their weakness as an additional call on our honor to do so—are we now, for the first time, to turn back on all our former courses, and make our feeble brethren of Missouri the first victims of our breach of national faith? Even if the treaty was ambiguous, if it was doubtful, do not the laws of nations expressly declare "that, in all doubtful cases, treaties shall be construed in favor of those for whose benefit they were made." And was it not for the express benefit of Louisiana, *all Louisiana to the utmost limits*, that this treaty was made, giving to the whole territory, and all that may inhabit it, as citizens of this union, equal rights, immunities and advantages, with the citizens of all the other states in it? Unquestionably it was; and it is our duty to prevent, in the words of Vattel, "the infamy of our hitherto untainted and even unsuspected government, and honorably and literally carry the treaty into execution."

Having thus, I trust, proved clearly, that you have no right to adopt this inhibition of slavery, but are forbid to do so by the constitution, as well as by the treaty, I ought, perhaps, to stop here; but there are some other points which I ought not to pass unnoticed. One of these is the ordinance of July, 1787, passed by the old congress, at the period of the sitting of the convention in Philadelphia, for forming the constitution, by which that body (the old congress) undertook to form a code, for the future settlement, government, and admission into the union, of all the territory northwest of the river Ohio, ceded by Virginia to the United States in 1784, which cession has so often been read to the house in this discussion. On this subject, I beg leave to remark that, by the confederation of the United States, the old congress had no power whatever but that of admitting new states, provided nine states assented. By this, it is most unquestionable, that no number of states under nine, had any right to admit new states. Of course, it was the intention of the confederation, that, on so important a measure as the establishment of governments for, and the admission of, new states, congress should never possess the power to act, unless nine states were represented in that body at the time of their doing so. This ordinance, therefore, in prescribing the forms of government, as they respected legislative, executive, and judiciary powers, in establishing bills of rights, and the times and terms of their admission into the union, and inhibiting servitude therein, is chargeable with ingratitude and usurpation. It is chargeable with ingratitude when we reflect, that this cession of the great tract of country, this rising empire of freemen, was gratuitously, and with noble disinterestedness and patriotism, made by Virginia, that the passing of an ordinance which contained a provision which could not but go to prevent the admission of Virginians there, as they could not move there with their

claves, was a most ungracious and ungrateful return to that state for her liberality, and could not but meet with the disapprobation of this nation.

I have already mentioned the reasons to shew that, unless there had been nine states present, the old congress had no power to admit new states, and, of course, no power to prescribe the forms of government bills of rights, or terms, or times of admissions, benefits, or exclusions, with a less number than nine.

If there were not other strong reasons attending the passing this ordinance, those already mentioned are sufficient to shew, that it is a nullity; that it never had, or could have had, a binding force; that the present congress had, nor has, any constitutional right to confirm that part of it which respects the exclusion of involuntary servitude from that territory; and that the states of Ohio, Indiana, and Illinois, having, by their constitutions, voluntarily excluded it, possess the power, whenever they please, to alter their constitutions, and admit servitude in any way they think proper.

Let us, sir, recollect the circumstances the old congress were in at the time they passed this ordinance; they had dwindled almost to nothing; the convention had been then three months in session; it was universally known a constitution was, in its essentials, agreed to, and the public were daily expecting, what soon happened, the promulgation of a new form of government for the union. I ask, sir, was it, under these circumstances, proper for a feeble, dwindled body, that had wholly lost the confidence of the nation, and which was then waiting its supersession by the people; a feeble, inefficient body, in which only seven or eight states were represented, the whole of which consisted of but seventeen or eighteen men, a number smaller than your large committees; a body literally in the very agonies of political death; was it, not to say lawful or constitutional, was it, sir, even decent in them to have passed an ordinance of such importance. I do not know or recollect the names of the members who voted for it, but it is to be fairly presumed they could not have been among the men who possessed the greatest confidence of the union, or, at that very time they would have been members of the convention sitting at Philadelphia. But I am, perhaps, taking up your time unnecessarily on this subject, and I shall proceed to others.

A great deal has been said on the subject of slavery; that it is an infamous stain and blot on the states that hold them, not only degrading the slave but the master, and making him unfit for republican government; that it is contrary to religion and the law of God; and that congress ought to do every thing in their power to prevent its extension among the new states.

Now, sir, I should be glad to know how any man is acquainted with what is the will or the law of God on this subject; has it ever been imparted either to the old or new world? Is there a single line in the Old or New Testament, either censuring or forbidding it? I answer without hesitation, no! But there are hundreds speaking of and recognizing it. Hagar, from whom millions sprang, was an *African slave*, bought out of Egypt by Abraham, the father of the faithful, and the beloved servant of the Most High; and he had, besides, three hundred and eighteen male slaves. The Jews in the time of the theocracy, and the Greeks and Romans had all slaves; at that time there was no nation without them. If we are to believe that this world was formed by a great and omnipotent being; that nothing is permitted to

exist here but by his will, and then throw our eyes throughout the whole of it, we should form an opinion very different indeed, from that asserted, that slavery was against the law of God.

Let those acquainted with the situation of the people of Asia and Africa, where not one man in ten can be called a freeman, or whose situation can be compared with the comforts of our slaves, throw their eyes over them, and carry them to Russia, and from the north to the south of Europe, where, except Great Britain, nothing like liberty exists. Let them view the lower classes of their inhabitants, by far the most numerous of the whole; the thousands of beggars that infest their streets, more than half starved, half naked, and in the most wretched state of human degradation. Let him then go to England; the comforts, if they have any, of the lower classes of whose inhabitants are far inferior to those of our slaves. Let him, when there, ask of their economists, what are the numbers of millions daily fed by the hand of charity; and, when satisfied there, then let him come nearer home, and examine into the situation of the free negroes now resident in New-York and Philadelphia, and compare them with the situation of our slaves, and he will tell you, that, perhaps, the most miserable and degraded state of human nature is to be found among the free negroes of New-York and Philadelphia, most of whom are fugitives from the southern states, received and sheltered in those states. I did not go to New-York, but I did to Philadelphia, and particularly examined this subject while there. I saw their streets crowded with idle, drunken negroes, at every corner; and on visiting their penitentiary, found, to my astonishment, that, out of five hundred convicts there confined, more than one half were blacks; and, as all the convicts throughout that state are sent to that penitentiary, and, if Pennsylvania contains eight hundred thousand white inhabitants, and only twenty-six thousand blacks, of course the crimes and vices of the blacks in those states, are, comparatively, twenty times greater than those of the whites in the same states, and clearly proves that a state of freedom is one of the greatest curses you can inflict on them.

From the opinions expressed respecting the southern states and the slaves there, it appears to me most clear, that the members on the opposite side know nothing of the southern states, their lands, products, or slaves. Those who visit us, or go the southward, find so great a difference, that many of them remain and settle there. I perfectly recollect that, when, in 1791, general Washington visited South Carolina, he was so surprised at the richness, order, and soil of our country, that he expressed his great astonishment at the state of agricultural improvements and excellence our tide lands exhibited. He said he had no idea the United States possessed it. Had I then seen as much of Europe as I have since, I would have replied to him, that he would not see its equal in Europe. Sir, when we recollect that our former parent state was the original cause of introducing slavery into America, and that neither ourselves or ancestors are chargeable with it; that it cannot be got rid of without ruining the country, certainly the present mild treatment of our slaves is most honorable to that part of the country where slavery exists. Every slave has a comfortable house, is well fed, clothed, and taken care of; he has his family about him, and in sickness has the same medical aid as his master, and has a sure and comfortable retreat in old age, to protect him against its infirmities and

weakness. During the whole of his life he is free from care, that canker of the human heart, which destroys at least one half of the thinking part of mankind, and from which a favored few, if, indeed, any, can be said to be free. Being without education, and born to obey, to persons of that description moderate labor and discipline are essential. The discipline ought to be mild, but still, while slavery is to exist there must be discipline. In this state they are happier than they can possibly be if free. A free black can only be happy where he has some share of education, and has been bred to a trade, or some kind of business. The great body of slaves are happier in their present situation than they could be in any other, and the man or men who would attempt to give them freedom, would be their greatest enemies.

All the writers who contend that the slaves increase faster than the free blacks, if they assert what is true, prove that the black, when in the condition of a slave, is happier than when free, as in proportion to the comfort and happiness of any kind of people, such will be the increase; and the next census will shew what has been the increase of both descriptions, free and slave, and will, I think, prove the truth of these opinions.

In this discussion the question as to the purchase of Louisiana has been introduced, and gives me an opportunity to state my opinion on that subject. So far as my knowledge of the facts, preceding that purchase, enables to form an opinion, I pronounce that Mr. Jefferson, in planning the purchase, and the gentlemen who were employed in negotiating it, covered themselves with glory. The facts that preceded that purchase were these: In the year 1786, Spain despatched a minister, named Gardoqui, to this country, instructed to offer to form with us a treaty of commerce, which she said was an advantageous one, if we would, in the same treaty, consent to give up the navigation of that part of the river Mississippi which ran through the Spanish dominions. This, sir, I asserted on this floor some days ago, and now repeat, that, on this treaty being, according to the then routine of business, referred to Mr. Jay, then secretary for foreign affairs, he did, to the best of my recollection, report, that it would, in his opinion, be expedient to adopt it; that seven, all of the eastern and northern states, did vote for it, but that, owing to the confederation requiring that nine states should be necessary to form a treaty, it was at length defeated. If any part of the public business of this country, in which I have been engaged, ever gave me more pleasure than others, it was the agency I had, in association with an honorable gentleman, now high in office, and in Washington, in preventing it. I believe I may venture to say, that it was owing to us the whole of the western country now belongs to us, and that the Mississippi now flows through American lands, and that the American flag now waves alone on her waters. I, therefore, have always felt more than a fraternal—I have felt, sir, a paternal love for this country. Nor, sir, is this the only important agency I have had in the affairs of this very valuable part of our union. It will be remembered that, in the year 1802, the intendant of New-Orleans issued a proclamation, shutting that port to the further reception and deposit of American produce, under the treaty of 1795, and that on his doing so, a ferment was excited throughout the union, of the most alarming nature; that war was called for, both in the senate and out of doors, which it was difficult for all the prudence and love of peace of the president, to repress. Being, at that time, the

minister of the United States in Spain, I received instructions from our government to use every exertion in my power, consistent with its dignity, to get the deposit restored, which I fortunately did, and this affair led to the acquisition of both the river and whole country in the manner you know. At the time that I went to Europe, I was alone commissioned and authorized to treat for, and purchase, all the part of Louisiana, including New-Orleans, to the east of the Mississippi and the Floridas; but, on arriving in Europe, I found Louisiana had been previously secretly sold to Bonaparte, of which I informed Mr. Jefferson, and he took the measures which accomplished the purchase.

In pursuing the arguments of some gentlemen, on this subject, I have omitted to notice one of their arguments, springing from that part of the 3d section of the 4th article, which says, "the congress shall have the power to make all needful rules and regulations respecting the territory or other property, belonging to the United States," because this article certainly refers only to the territorial state, to which I have already referred, and in which I do not hesitate to aver, that, in making such regulations for the government of the territory, they are no more authorized to inhibit slavery in the territory, than they have in the states—for, if they should have the power, it would indirectly effect the same thing; it not being difficult to see, that, when a territory has been like Missouri, for sixteen years in a strict state of territorial discipline, prohibiting slavery, when the period arrives for her admission as a state, she will be peopled entirely by inhabitants not having slaves, and who will of course, insert the prohibition in their constitution.

It ought to be remembered, Mr. Chairman, that the greatest part of the debt due for Louisiana, is still unpaid, and that, if the mode I have asserted, by which your treasury is now furnished, and must be in future, is true, then the slave-holding states will have more than half of the purchase to pay; but, suppose we have only one half of it to pay, is it not fair, is it not just, that the use of this purchase should be as open to the inhabitants of the slave-holding, as to the inhabitants of the non-slave-holding states; and how can this happen, if you say to the inhabitants of the northern states, you may go there with your families, and all your properties; but, if you, from the southern or slave holding states, choose to go there, it must be without your slaves, these shall not go; thus denying to these the instruments of their agriculture, and the means of their comfort, and completely preventing the possibility of their removing; from this, sir, will arise another evil, that of the fall of the value of all the lands the United States may have to sell in the territories or states from which slavery is excluded, at least one half, which, if the computations of the number of acres come any thing near the mark, must amount to at least six hundreds of millions of dollars lost to the common treasury.

I have not condescended to notice the remark, that one of the evils of slavery is, the lessening and depreciating the character of the whites in the slave-holding states, and rendering it less manly and republican, and less worthy, than in the non-slave-holding states, because it is not less decorous than true; it is refuted in a moment by a review of the revolutionary, and particularly the last war. Look into your histories, compare the conduct of the heroes and statesmen of the north and south, in both those wars, in the field and in the senate; see the monuments of valor, of wisdom, and patriotism they

have left behind them, and then ask an impartial world, on which side the Delaware lies the preponderance: they will answer in a moment to the south.

It will not be a matter of surprise to any one, that so much anxiety should be shewn by the slave-holding states, when it is known that the alarm, given by this attempt to legislate on slavery, has led to the opinion, that the very foundations of that kind of property are shaken; that the establishment of the precedent is a measure of the most alarming nature; for, should succeeding congresses continue to push it, there is no knowing to what length it may be carried.

Have the northern states any idea of the value of our slaves? At least, sir, six hundred millions of dollars. If we lose them, the value of the lands they cultivate will be diminished in all cases one half, and, in many, they will become wholly useless, and an annual income of at least forty millions of dollars will be lost to your citizens; the loss of which will not alone be felt by the non-slave-holding states, but by the whole union; for, to whom at present, do the eastern states most particularly, and the eastern and northern, generally, look for the employment of their shipping, in transporting our bulky and valuable products, and bringing us the manufactures and merchandizes of Europe? Another thing, in case of these losses being brought on us, and our being forced into a division of the union, what becomes of your public debt? Who are to pay this, and how will it be paid? In a pecuniary view of this subject, therefore, it must ever be the policy of the eastern and northern states to continue connected with us. But, sir, there is an infinitely greater call upon them, and this is, the call of justice, of affection, and humanity. Reposing at a great distance, in safety, in the full enjoyment of all their federal and state rights, unattacked in either, or in their individual rights, can they, with indifference, or ought they to risque, in the remotest degree, the consequences which this measure may produce. These may be the division of this union, and a civil war. Knowing that whatever is said here, must get into the public prints, I am unwilling, for obvious reasons, to go into the description of the horrors which such a war must produce, and ardently pray, that none of us may ever live to witness such an event.

If you refuse to admit Missouri without this prohibition, and she refuses it, and proceeds to form a constitution for herself, and then applies to you for admission, what will you do? Will you compel them by force? By whom, or by what force can this be effected? Will the states in her neighborhood join in the crusade? Will they, who, to a man, think Missouri is right, and you are wrong, arm in such a cause? Can you send a force from the eastward of the Delaware? The very distance forbids it; and distance is a powerful auxiliary to a country attacked. If, in the days of James 2d, English soldiers, under military discipline, when ordered to march against their countrymen, contending in the cause of liberty, disobeyed the order, and laid down their arms, do you think our free brethren on the Mississippi will not do the same? Yes, sir, they will refuse, and you will at last be obliged to retreat from this measure, and in a manner that will not add much to the dignity of your government.

I cannot, on any ground, think of agreeing to a compromise on this subject. However we all may wish to see Missouri admitted, as she ought, on equal terms with the other states, this is a very

unimportant object to her, compared with keeping the constitution inviolate—with keeping the hands of congress from touching the question of slavery. On the subject of the constitution, no compromise ought ever to be made. Neither can any be made on the national faith, so seriously involved in the treaty which gives to all Louisiana, to every part of it, a right to be incorporated into the union on equal terms with the other states.

Surely, sir, when we consider the public distress of this country; and the necessity of union and good humor to repair our finances, and place our commerce in that improved situation which will give us some hope of the rise of our products, such as may have a tendency to relieve our public and private embarrassments, if we had no other motives for it, certainly this should be sufficient. But, sir, there is one of infinitely higher moment. Do we recollect, that we are the only free republic now in existence, and that, probably, such existence can only depend upon our distance from Europe, and our union with our present numbers. It may safely be calculated we have two millions of men, the greatest part of whom are able to bear arms. In case of our continuing an united people, no attack from Europe, a distance of four thousand miles, could ever be made with the least hope of success. From the distance, all Europe could not furnish either the men or means sufficient to divide or destroy this union. If we continue united, as we have been, in such an event, the states would so second the general government, and so nerve its arm, as to put all attack at defiance. But, if on this, or any other occasion, this union should unhappily divide, and, from friends, become bitter and implacable enemies to each other, who shall say what Europe may attempt? Mark what they have done among themselves, to subjugate France, and destroy, in that part of the world, every thing that has the semblance of republicanism. View the league they have formed, in which, for the first time, all Europe is seen united as a single government, to maintain their monarchical forms. Such is, no doubt, their detestation of every thing like republicanism, that, were the United States in Europe, where they could be reached by land, I have not the smallest doubt, they would long since have been attacked, and every attempt made to reduce them to a monarchy. We are considered, sir, as an evil example to the monarchical world. We are considered as the only repository of those principles which have lately appeared and flourished, for a time in Europe; and which, it has cost them so much blood and treasure, to suppress, and should our divisions from friends to enemies, ever afford them an opportunity of striking at us, with the least probability of success, no doubt they will do so.

I will not trespass further on your patience, but thank the committee for the honor they have done me, by their attention. I hope the great importance of the subject will be my excuse; and that considering the relation in which I have stood to the western country and the Mississippi, for the salvation of which, so far as means the keeping it annexed to this union, as I have already said, I think I may claim to a gentleman, now high in office, and myself, as much as any other two can claim, the happiness of being the instruments; and having thus, in the early part of my life, labored with success for the parent, I cannot but think it a little extraordinary, that I should, at this distant period, be called upon to defend the rights of her children. My fervent wish is, that I may be able to do it with the same success.

Indians of Missouri.

Extract from a series of notes on the Missouri river, and some of the native tribes, by a gentleman attached to the Yellow Stone expedition, in 1819, published in the Petersburg Intelligencer.

The Pawnees are now at war with the Osages, Kanes, Sioux, and Spaniards; their war excursions are very frequently carried into the settlements of the latter, from whence they procure a great number of fine horses; they likewise obtain horses from the nations south of them for their blankets, guns, &c.; their horses they sell again to the nations on the Missouri, for double or treble the quantity; they appear to prefer obtaining European goods, by this species of traffic, to hunting for beaver and other valuable furs; and their trade is of very little importance to the whites.

Their war parties, last summer, brought them in nearly 400 horses, principally stolen from the Spanish settlements. Formerly they held the Spaniards in great respect, as they put large detachments of troops into their country. Since 1806, however, the Spaniards have not done so, restrained probably by the consideration that the territory belongs to the United States, and being debarred from the only effectual means of checking Indian depredation, their settlements are placed in the same unfortunate situation that ours were on the borders of Florida.

The agriculture of the Pawnees is about the same as the Kanes and Ottos; like them, they only reside in their villages during the intervals of planting and gathering their corn; living nearer the habitual haunts of the Buffalo than those nations, they subsist exclusively on it; they never hunt on the Missouri, and have but little intercourse with the whites.

They are a proud, haughty people, and have great ideas of their own strength and importance. One of their principal men told the interpreter—"What do we care for the whites—did not our fathers live very well, without knowing that such people had an existence? Have we not plenty of buffalo meat and corn, not only for ourselves, but to give our friends when they come to see us; and what Pawnee is so poor that cannot, if he choose, give his guest a horse to ride home? Who is there in the world that does not know of the bravery and numbers of the great Pawnee nation?" Notwithstanding, however, the good opinion they have of themselves, they are believed to be less warlike than their neighbors, owing to the comparative ease with which they live, subsisting entirely on buffalo, which they find so near them. The chase of the buffalo, besides, being less laborious than that of the elk or deer, does not require the use of fire arms, with which the Pawnees are not expert. Their language is more guttural than that of the Kanes and Osages, and approaches nearer to the Sioux; their figures are tall and slim; they have remarkably high cheek bones, and a certain wildness of look that is peculiar to them. Their government, like that of the Ottos, is an hereditary aristocracy; the power and authority of which is very much dependent upon the individual character of the principal chieftain. They are not so cleanly, or rather, they are more filthy, in their persons, lodges and cooking, than the other tribes. There is a custom among these Indians of swearing they will not survive the death of a certain friend or friends, that frequently leads them to desperate deeds. About two years since, a trader descending the Arkansas, with some packs of beaver, and about thirty men, was attacked by a party of three hundred Pawnees.

They made a breast work of their packs of beaver, and finally succeeded in beating off the Indians, killing five or six of them. After the Indians had despaired of success, and were about giving up the attack, two Indians who had lost their friends, made a furious charge by themselves: they were both cut to pieces, the memory of these men is universally cherished: they are celebrated in all their war songs.

The Pawnees find that formidable animal, the white or grizzly bear, in their hunting excursions towards the head of La Platte river. On the Missouri, it is seldom seen below the Great Bend, and is found most frequently on the Yellow Stone and its branches, and at the three forks of the Missouri. This bear will usually attack a man if approached very near. Indians consider it a great exploit to kill one of them. When they are alarmed, they rise completely on their hind legs, and dart forward by jumps; they move much faster than a man can run, rushing forward with the utmost ferocity, their mouths wide open, and snapping their teeth, which makes a noise like the shutting of a steel-trap; a man attacked by them on the open plains of the Missouri, has but little chance of escape, if there be neither tree to climb, nor water to take to. The tenacity of life in these animals has been exaggerated, but is very remarkable; as many as thirteen balls have been put into them, without killing them; but there are also instances of their being killed by two, or even one ball; their most mortal part is directly under the ear; they attack and kill a Buffalo, dragging him to their haunts, where they bury if they do not wish to eat him.

These animals are so fierce, ardent and furious, that they soon exhaust their strength in pursuit; they are hunted by the Indians on horseback; a party of three or four men, well mounted, approach the bear, and one of them provokes him to pursue him; this he does with his utmost force; the horseman, to avoid the bear, has to put his horse to his metal; he leads him round a circle towards his companions, one of whom provokes him; he is easily made to quit the old pursuit, and join in the new; he is again led round, and again induced to pursue a fresh horse; the bear pursues until he becomes completely exhausted, lays down apparently lifeless, is perfectly hors de combat, and may be approached and shot, by putting the muzzle of the gun to his ear. Nothing can be more animating, it is said, than this hunt; there is no danger of the bear overtaking the horse, unless he falls; if, however, the rider should be thrown, and the bear get a blow at him, death appears inevitable, such is the immense force with which they use their claws. It takes a bear four or five years to attain its growth; they are supposed to arrive at a very old age, as they are frequently found with their claws worn out.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Some changes in the British ministry are talked of. The earl of Liverpool, it was said, was about to resign, and to be succeeded by lord Grenville. It was also reported that Mr. Vansittart was to give place to Mr. Huskisson.

The queen's birth day was observed at the different public offices, and other places under control of the executive, with a respect due to her station. The report of the queen's arrival at Paris was incorrect. There were no accounts of her having left Geneva.

The grand jury of London have found a bill of

indictment for high treason against Edwards, the instigator of the Cato-street conspirators. Mrs. Thistlewood, Mrs. Brunt, Julian Thistlewood, and other witnesses, were examined in support of the charge. Edwards had absconded—it is said Mr. Harmer, the solicitor, was authorized by some individual to offer 100*l.* reward for his apprehension. Evidence was produced that *all* the pikes which were found in the premises of the conspirators, were manufactured by Edwards' order, and that for every one of them the manufacturer was paid by Edwards. The manufacturer himself came forward to prove this fact.

A late London paper says—"A curious discovery has been made since it was determined to re-model the crown. Several of the large gems, (we have not yet learnt how many), turn out to be paste. It is supposed that this fraud was committed as far back as the time of Charles II.

Messrs. Rundell and Bridges have contracted to make the alterations in the British crown for 60,000 pounds! The coronation robe will cost 36,000*l.*

A very serious and fatal riot took place at Greenock, on the 7th of May, as follows: "A party of the Port Glasgow Volunteers were escorting some prisoners from Paisley, to the jail at Greenock; when they entered the town they were attacked with stones, and pelted severely; they succeeded, however, in lodging their prisoners safe in jail, when, on returning to Port Glasgow, they were attacked by the mob, (partly Greenock, and partly from the neighborhood) and were obliged to fire in their own defence. They effected their retreat. There are already nine of the mob dead, and nine more dangerously wounded; there are two of the volunteers also wounded.

"In the mean time, after the military had retired, they broke open the jail and liberated the radicals, who had been lodged there from Paisley. Troops have been sent there, and every thing is again quiet."

A living animal of the antelope species, called a nallee, having the head of a cow, the mane of a horse, and the hind part resembling a mule, has been brought to England from the Cape of Good Hope.

By an estimate made in parliament for the year 1820, it appears that the total strength of the regular force of the British army, including 19,899 on service in India, is 112,475, for which an appropriation of 6,807,466*l.* 6*s.* and 4*d.* is asked for to defray their expense, and for the navy 2,216,746*l.* 2*s.* and 11*d.* sterling.

A London paper, (Morning Chronicle), of May 16, observes—"That although the sessions terminated but one week ago, we cannot but regret the amazing increase of crimes in the metropolis, as will be seen from the following statement:

STATE OF NEWGATE.

	Males.	Females.
Under sentence of death,	32	1
Convicts respited,	7	2
Transportation for life,	25	14
Do. for 14 years,	14	13
Do. for 7 years,	79	27
For felonies and misdemeanors, &c.	29	18
By the commissioners of bankrupts,	5	1
State prisoner, (Gilchrist)	1	
For assizes,	1	
For trial,	154	24

Among those to be tried are—burglary, 4; uttering forged notes, 18; highway robbery, 7; larcenies, 72; bigamy, 1; stealing money from a letter

in the post office, 1; perjury, 3; stealing in a dwelling house, 4; &c.

This number is, however, exclusive of those who, during the sitting of the grand jury, may be committed for trial.

FRANCE.

It is announced that count Volney, whose recent death the chamber of peers and the French academy have to deplore, has left in his will a sum amounting to a perpetual rent of 1200 francs, 1.150 sterling, as a prize, to be adjudged by the institute to the author of the best treatise on eastern languages, and especially on the simplification of their characters. His obsequies were solemnized in the burial ground of Pere Lachaise; it was conducted in the most simple manner; two peers of France and two members of the academy supported the pall; and numerous literary and scientific characters followed in procession. M. Baya, director of the French academy, pronounced a funeral eulogy on his grave.

Sieur Bedault, editor of the Paris Constitutionnel, has been found guilty of publishing an article in February last, tending to excite civil war in France, and sentenced to two years imprisonment, and 10,000 francs, (1.416 sterling.)

SPAIN.

A loan of 40 millions of rials has been opened at Madrid, to bear an interest of 10 per cent.

Deputies from several of the juntas were assembling at Madrid, to unite with the junta of the capital, until the meeting of the cortes in July.

England, France and Bavaria have expressed their approbation of the late revolution in Spain.

The Madrid gazettes also contain addresses of congratulation to his majesty from several towns or public bodies, on his acceptance of the constitution, and official accounts of its having been sworn to by many other corporations, public functionaries, boards, tribunals, &c.

A royal decree, of the 29th of April, directs another decree, issued by the general and extraordinary cortes on the 26th of May, 1813, to be carried into immediate execution, which requires the municipal bodies to take down or destroy all signs of vassalage, existing in their respective cities, towns or villages, as the Spaniards neither do, or ever will acknowledge any other seigniorage than that of the nation, and their noble pride will not bear the sight of such lasting memorials of their humiliation. Two circulars of the secretary of war, of the 15th and 21st of April, enjoin all commanding officers to cause the constitution to be sworn to by the corps under their command; and acquaint them with his majesty's pleasure, that the military should henceforth have the benefit of the article of the constitution which forbids prisoners to be put upon their oath, with regard to their own acts in criminal cases.

Extract of a letter from a gentleman at Cadiz, dated May 3—"The last post from Madrid brought an account of the discovery of a conspiracy to assassinate the king and place the infante don Carlos on the throne. It is well known, that this brother of the king was opposed to the adoption of the constitutional system, while the other, Francisco de Paula, notwithstanding he was declared by the cortes illegitimate, and ineligible to the crown, is decidedly in favor of it. The principal conspirators were the heads of several of the orders of the friars, one or two lawyers, two or three of the military, and, it is said, the duke of Alagon, and the count of Espeleta, together with one or two other persons of rank, are implicated. Carlos, however, had

no knowledge of the affair, and would never lend himself to such a diabolical scheme. It appears to have been discovered almost at the moment of its commencement. In consequence of this, two royal orders have made their appearance, *permitting* the friars to secularize themselves, for which end a bull will be *solicited* from the pope.

GERMANY.

Sandt, the assassin of Kotzebue, has, at last, been sentenced to death by the government of Baden.

Jerome Bonaparte, his wife, his sister Eliza, and Fouché, are at Trieste, the Austrian government having given them permission to remain at that place.

An article from Nuremburg, under date of May 5, says "that never were such immense quantities of English manufactures and goods here as at the present fair. There is no room for them in the warehouses, and the Hamburg and Dessau Jews are obliged to throw bales of calicoes in the street, that the purchasers may have room to move in the warehouses. The ruin of our German manufactures is at hand—[as is designed by this glut]; the Saxon manufacturers are in despair, for even their cheapest goods cannot maintain the competition with the English. All the ready money now goes to England."

Vienna April 8—His majesty the emperor of Austria, has appointed as contract general, for building vessels in North America, the baron I. Von Weiss. He was sent with despatches to Brazil. From there he will leave for the United States. The baron has it in his power to appoint consul and consul generals for Austria, in the United States—and, at the same time, was ordered by the emperor, to send his nephew, capt. Von Hoffmann, to relieve baron Storm, the commander of the port at St. Helena. Much business in the mercantile line is anticipated from the spirited efforts of the Austrian nation. The emperor has appointed all the former vigilant contract generals to superintend the mercantile trade of the nation. The baron Rothschild, as consul general in London, the baron Von Popper, for Constantinople, and the baron Lamel Von Lamelsfeld, for Italy—all of one family, who are of immense fortunes.

RUSSIA.

Some alterations have been made in the new Russian tariff, which is to aid the national manufactures.

CHRONICLE.

Execution. The awful sentence of the law was yesterday performed upon *Peregrine Hutton* and *Morris N. B. Hull*, convicted, on their own confessions, of the deliberate murder of *John Heaps*, mail driver.

The late anniversary of our independence appears to have been observed more generally than usual—and the "*wicked practice* of reading the declaration," we are happy to say, was as generally persevered in.

Died, on the 12th ult. at Columbus, O. major *Mahlon Ford*, late of Ogdensburg, N. Y. aged 64, a captain of the revolutionary war, and also of the same grade at St. Clair's defeat, in which he was wounded three times.

Mr. *Greene*, whose resignation of the office of cashier of the Phoenix bank, New York, was lately announced, is now stated to be a defaulter to that institution to the amount of \$147,500. It is also

said, that the bank is only conditionally secured for about one-half or one-third of this amount.

The steam boat *Comet* visited the village of Arkansas, on the river of that name, in May last, being the first steam boat which ascended that river.

The steam boat *Calhoun* left St. Louis about the 1st of June to ascend the Mississippi to the falls of St. Anthony. The distance from 900 to 1000 miles, and she was expected to make the voyage in twelve days. This is the first expedition of its kind ever attempted.

United States stocks. A considerable amount of the 6 per cent. war loans were sold by auction at Boston, on the 3d of July—the lowest lot of 1812, at 104 5/8; the highest of 1815, at 106 5/8.

Money. The city of New York has just borrowed 200,000 dollars at five per cent. It was taken up immediately—one house took more than half the amount.

Counterfeiting. A fellow has been arrested in the state of New York, having in his possession about 800,000 dollars in counterfeit and spurious bills, chiefly of the banks in the city of New York. He was on his way from the great manufacturing establishment in Canada, to distribute his stock in the departments.

From Missouri. The Indians above the Council Bluffs, have lately attacked a party of traders, one of whom they killed, and wounded three others. Captain Magee, of the rifle corps, was sent in pursuit of them. The Indians are supposed to be the *Aricareas*, or *Riccareas*.

From Mackinaw. By the arrival of the steam boat *Walk-in-the-water* at Buffalo, letters to the 20th of June have been received from Mackinaw, which confirm the intelligence which we sometime since communicated of the hostile movements of certain Indians in the North West. We learn that "a letter was received some short time since at Chicago, from major Marston, commanding fort Armstrong. It appears that the express communication has been cut off, and that the major availed himself of a Sack Indian to communicate with major Baker, at Chicago. He states that two of his men had been killed by the Indians—that they had attempted to cut off his provisions, boats, &c., but failed—that they had made something like a regular attack upon the fort but were repulsed. His command was too small to think of leaving the fort in presence of the enemy. He had applied to colonel Leavenworth for aid, but the colonel's command was too small to afford any.

"The fact is that great apprehensions are entertained for the safety of all the posts west of Green Bay and Chicago. There are so few men at these places that it must be a great temptation to those Indians, who, no doubt, view with concern the rapid strides we are making in their country.

"There are some three or four hundred Indians at this port, on their way to Drummond's Island, for the purpose of receiving presents from their great father, George IV. I am told they receive annually from \$40 to 50,000 worth of goods from the British officers at that place."

Philadelphia, July 5. *Thomas Bigelow*, attorney at law, convicted on Thursday last, in the mayor's court in this city, of a conspiracy, with others, to cheat and defraud Benjamin and Ellis Clark of six gold watches, was this morning brought to the bar, and sentenced "to pay a fine of seven hundred dollars, and to be imprisoned at hard labor for the term of three years."

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞ To make amends for so great a monopoly of this sheet by Mr. *Sergeant's* speech, we shall give our readers a *supplement* next week to conclude it, so that the regular number will be left open for other matter.

CRIMES AND PUNISHMENTS. We have briefly noticed the execution of *Peregrine Hutton* and *Morris N. B. Hull*, for the murder of John Heaps, late carrier of the United States mail, pursuant to the sentence of Baltimore county court. They had not been arraigned under the laws of the United States for *robbing the mail*—but were condemned under those of the state of Maryland for the punishment of *murder*; and, if they had escaped from the latter, would have been liable to a prosecution under the former.

Many recent circumstances appertaining to the case of those persons, have given rise to much severity of remark in Baltimore, as well as brought down upon us a general censure from the citizens of other cities and states. We have nothing to offer in excuse, but a mistaken zeal in some to do good, and that the acts of a few should not be regarded as those of the many; and to express our belief that the *public sentiment* on this occasion will not only prevent a repetition of the excesses briefly noticed below, but also check the publishers of newspapers in lending their aid to give notoriety to them, if they should occur.

It is generally known, that Hutton and Hull deliberately digested a plan to rob the great eastern mail—that they succeeded and basely murdered the driver *after* they had tied him to a tree, and, of course, after every thing like resistance on his part must have ceased—that they were arrested and confessed their guilt, the facts being so strong against them that it was in vain to deny it, and that they were condemned to suffer death for their terrible offences against the laws of God and man.

When the horror excited by their misdeeds had a little subsided, and the mangled body of poor Heaps no longer presented itself to the agonized imagination, a strong effort was made upon the public sensibility in favor of *Hull*. His youth was offered in excuse of his offences—he was said not to be the principal in the affair, his respectable father was commiserated; the governor of Maryland was petitioned (not only by citizens of this state, but by many women and others of a neighboring state), to commute his punishment to confinement for life in the penitentiary; letters were written by him, or for him, and published in the newspapers, to shew how repentant he was—and, so great was the noise made about him, that he appears almost until his last moment to have indulged the belief that he would be spared. But while all this was doing for Hull, his colleague, *Hutton*, was regarded as an incorrigible villain and given up to despair, except in the pious exhortations of a few who rightfully called him to preparation for death.

But, suddenly, Hutton came into repute—he too, wrote letters, or had them written, like a saint, which were extensively published. He desired to be baptised, according to the forms of the Baptist church—leave was asked and seemingly obtained to perform the ceremony in a stream of water which washes the bounds of the jail, and it was pompously announc-

ed that he would be baptized at a certain time stated; but the sheriff refused his ultimate assent, and the rite was performed in the jail-yard; whereupon, an account of the reception of "*Mister Peregrine Hutton*" into the church was proclaimed, with the names of the clergymen who did thus or did that, as if it were a matter of mighty importance to the public to know all about it. The *fashion* had changed—it was now Hutton, and not Hull, that was offered to the public tenderness.

The newspapers teemed with many imprudent articles; and, as if to cap the whole scene of indiscretion, the following notice appeared on the morning of the execution:

"NOTICE. The sheriff having granted permission to the Third Baptist Church to have the body of MR. HUTTON decently interred, after his execution—

Notice is therefore given, that the FUNERAL PROCESSION will move from the prison gate at 6 o'clock this evening; his relatives will walk next to the corpse; then the members of the Third Baptist Church, as mourners, two and two; members of the other Baptist churches are invited to follow next, two and two; then members of other religious denominations, and citizens generally, are requested to follow in the same order. When the procession arrives at the place of interment, the usual religious service will be performed by the attending ministers."

And so it was, that a few persons did assemble and form a procession; at which it was given out that a FUNERAL SERMON would be preached on the deceased; and it was preached on the evening of the succeeding Sunday!

We were almost enough provoked by these proceedings to record all the papers belonging to this matter, that they might serve as a beacon for the future; and perhaps, would have given the whole of them, but on account of the pre-engagement of this and several subsequent sheets of the REGISTER. But these sketches may suffice, with the simple addition that, during their imprisonment, those criminals "fared sumptuously every day," being profusely supplied with the greatest delicacies, though it is probable that a thousand worthy persons in this city were at the same time stinted for the necessities of life—that they were buried in costly coffins and in church grounds, though the bodies of hundreds of honest men are every year boxed up roughly and consigned to the "Potter's field," without ceremony.

I almost fear to trust myself to comment on these things, according to their merits. The great object of the punishment of Hutton and Hull was materially defeated by them. If any persons every justly suffered death, those persons rightfully died. If the one half of what is believed to be true respecting either, especially Hutton, is true, their career ought to have been stopped long ago. Hutton's life appears to have been a succession of crimes of the blackest dye; and Hull, though blessed with a kind and respectable father, (with whom I solemnly sympathize), seems to have been about as bad a character as any of his years that I have heard of. They have now ceased their depredations—and, repenting of sin, I hope they have been redeemed to life;

but I trust that such scenes will never be repeated, as if to show that a violation of the most sacred laws and an exit on the gibbet, was among the best roads to a blessed estate hereafter. It was the manner in which these things were done that has given so much offence to society, and caused so many virtuous persons to recollect the famous saying of Henry, of France—"Heaven preserve me from my friends; as to my enemies, I can take care of them for myself;" in the belief that the indiscretions of the friends of religion are often more difficult to ward off than the open attacks of its enemies.

Irish Antiquities.

A history of Ireland, under the title of "*The Chronicles of Ulla'd*," by the celebrated Roger O'Connor, has been announced for publication. It commences from the earliest point of time, which is recorded by the invention of letters, with a traditional portion, which was the work of Eolus, prince of the Gael of Sciort of Ib-er, who ruled in Gael-ag 1400 years before Christ. It is asserted in the prospectus that, from the time of Eolus, the chronicles were written by the Ard-Olam of the Irish nation, till the days of Ete-Er-lal, chief king in Er-i, 678 years before Christ; and that, from the reign of Ete-Er-lal, they have been compiled by every Ard-Olam of Ulla'd, and submitted to the kings, princes, nobles and chiefs of the Olam, or heads of the people, assembled on the mount of Ulla'd, once every third year, to transact the business of the kingdom. It is, therefore, asserted that in these chronicles is to be found the authentic history of Ireland, from the year 1806 before the Christian era, to the birth of Christ; and that the writings hitherto imposed on the world as histories of Ireland, are compilations from the rhapsodies of bards, full of anachronisms and misrepresentations of facts—the contemptible poetry of history, pieced together by ignorant men.

These Chronicles (says the editor) describe the mode of keeping time by our forefathers, and their luni-solar system. They correct errors respecting the language and religion of the Irish, and clearly show the former to be Phœnician, the latter not Druidic. They correspond exactly with the traditions of the Hebrews concerning the overthrow of the Scythian dominion in Asia, and the establishment of Eis-oir (the Assyrian) on their ruin; and they record the building of Babylon and Nineveh. They represent Noe, Japheth and Gog in new characters, and explain the passage of Genesis, which says, "That the beginning of the kingdom was Babel, &c. in the land of Shenar; out of that land went forth Asher, and builded Nineveh." The Chronicles strip the events of the figurative dress in which the Hebrews have decked them, whilst they give the true original names of the Ganges, Tygris, Euphrates, Euxine, Caspian, Caucasus, Armenia, Colchia, Iberia, Albania, Phœnicia, Egypt and Spain; and of all places in Galicia. They also describe the commerce of the Phœnicians, with the southern parts of Britain, and mark the period when the isles of Sicily were separated from the main land. They confirm the accuracy of the traditions of the Hebrews as to the colonization of the isles of the Gentiles by the posterity of Japheth; and they set at rest other important and curious matters, too numerous for brief anticipation.

The editor states that he relies with confidence on the fidelity of his materials; and deeming them authentic records, he has not stepped out of his way into the paths of controversy; but that when this

curious piece of antiquity is attacked, he will not decline the combat with all who are inclined to enter the lists of literary warfare. The work will be illustrated by maps and other engravings.

Penobscot Indians.

FROM THE BOSTON GAZETTE, JULY 11.

On Friday last, the lieutenant-governor of the Penobscot Indians, and their chiefs, arrived in Portland on a visit, and were introduced to the governor and council in the senate chamber. A large number of citizens were present at the interview between these sons of the forest and the new government of Maine. The governor addressed the chiefs substantially as follows:

Brothers—Our chiefs no longer reside at Boston; this is a convenience to you, as well as to us; we are now pleased to have you come among us; we have many things to say to you; and we expect you have also much to say to us.

The persons who set with me, to advise me what to say to you, are your friends; they will see that you have every thing which has been promised you.

Your fathers were our friends; a long time since they helped us to drive away the red coats; and we shall always remember them.

The last war you did right; you took no part; we did not ask you to help us, because we ourselves were strong enough.

We have many things to say to your chiefs, when you are ready to hear us. We have chosen colonel Lewis to talk for us, with whom you are acquainted, who is one of our chiefs, and who is your friend, as well as ours; you can believe every thing he says to you.

We shall now consider you as our children; you will have every thing from us, if you request it, which our friends at Boston promised you, but you must say to them, you depend on us alone.

We now wish to hear you talk; we shall attend to what you say; we hope you have no complaints to make; if you have any they shall be attended to.

The lieutenant-governor replied through an interpreter:

"I thank your honor for the good you say. You see us well to-day. Christ is our Saviour as yours. He is the same to us all—no difference of color. The same heaven is for the black men and the white men.

One thing in particular I wish to say to-day. Perhaps we get nothing for it. The white people take the fish in the river so that they no get up to us. They take them with wares—they take them with dip net. They are all gone before they can get to us. The Indians get none. If you can stop them, so that we can get fish too, we be very glad.

There is another thing, our hunting privilege. The white men come and spoil all the game. They catch all the young ones and the old ones too. We take the old ones and leave the young ones till they grow bigger, and are worth more. We wish the white men to be stopped from hunting. They take the timber; they have teams and oxen to haul the trees. Indians have no teams, no oxen to haul timber. We wish your government to stop the white men from hunting—put their traps in their chests. Let the white men have the timber and the Indians have the game.

You see us now here very poor. If we were not poor you would see us better dressed. We want you to give us something, so when you see us again you will know us—Perhaps a hat, or shoes, or some powder and shot.

One word more. We want a new agent. You have a new government, a new state. We want you to give us a new agent.

We hear that a new treaty will be made; we want to know when your chiefs come from Portland to make a new treaty. We want to tell our people, so that they may be ready to receive your people."

To which the governor made the following reply:—

"*Brothers*—We have heard with attention, what you have said to us; our opinions agree with yours, that our Great Father is the same; we hope and we constantly pray, that you, as well as ourselves, may so conduct as will be most pleasing to him.

What you have said about the wares, the dipnets, and hedges, down the Penobscot Bay, and the injury they have done your fishery, will be attended to; we hope they will not be much longer a subject of complaint; when the white people are as well informed on this subject as you are, these obstructions will disappear.

We are sorry to be informed that the white people interfere with your hunting; because it is not in our power to prevent it. You say the white people can haul timber; so can you: if they have oxen to do this, you can obtain oxen also; and you will employ them much better than they do, if you will plough your grounds and become good farmers.

You say a new state should have a new agent; to this we have no objections—our wish is that you should be satisfied, and that the agent should be your friend, as well as ours.

Col. Lewis, with whom you are all acquainted, will be at Bangor on Tuesday, the 15th of August; he wishes your governor to be there with all his writings at that time; there will be much to do, which will there be stated to him, and which your governor will be pleased with.

You request something from us, that, when we see you again, we may know you. We comply with your request, as we wish always to remember you; and that you should know and remember us as your friends. General Cony, who has provided for your accommodation, will attend to your request."

A dinner was provided for them by the governor, and we understand they did not depart empty-handed; and it is further understood that medals will be sent to the chiefs by the agent.

The Penobscot tribe consists now of about 360 souls. They own four townships of land, and some islands in Penobscot river: their village is *Indian Old Town*, composed of huts and log houses irregularly built. They have heretofore received a sum of money from Massachusetts for their support, which will be continued to them under the new government.

Foreign Articles.

GRAT BRITAIN AND IRELAND.

From late London papers.

The British revenue, in the last year, compared with the preceding, was short in the sum of 509,603 pounds sterling.

A bank has lately failed in the county of Hertford, whose outstanding debts are said to be more than £40,000; and whose assets in hand are said to be a tandem, horses, two hunters, and seven pair of stags!

The frequent sale of wives in England, would justify an American traveller, according to the *lex talionis*, to say, in a tour through that country,—"Every Englishman sells his wife, in the public market, with a halter round her neck; the general

price is about 5s. and the parties then adjourn to a tavern and get drunk on the money." Take the following as an illustration:

London, May 14. One of those disgraceful and demoralizing exhibitions, the sale of a wife, was witnessed at Canterbury the last market day. A laboring man, (or rather brute), brought his rib, a buxom young woman, into the market place, with a halter round her neck, and a white cockade in her bosom, offering her to the highest bidder; but most of the cognoscenti happened to be sellers, and she was knocked down at length for five shillings, which sum the seller, purchaser, and purchaser, drank out at a neighboring ale house before parting.

King's court. His majesty recently held a court at his palace in Pall-mall, chiefly for the purpose of receiving addresses of condolence and congratulation. A deputation from the society of Friends, commonly called Quakers, of England, with an address on the demise of the late king, and on the accession of his majesty to the throne, expressive of their attachment to his person and government, were introduced into the presence of the sovereign on his throne, to present their address, which had been agreed upon at a general meeting on the 6th of March last. The address was read by Joseph Foster, to which the king returned an appropriate answer. The deputation was most graciously received. It is a remarkable circumstance that T. Howard, one of the above deputation, waited upon the late king, in the year 1760, with an address upon his accession to the throne. When the deputation of the society of Friends arrived at the palace, they were proceeding to the presence chamber with their hats on. The attendants, not being exactly prepared for a dilemma of this kind, were for a minute or two at a loss how to act, for the worthy addressers paid no attention to the repeated verbal hints which were given to them as they passed along, and an unpleasant predicament appeared inevitable, when a yeoman porter, more acute of apprehension than his fellows, ventured the expedient of removing the beaver from the head of one of the principal Friends with his own hands. The operation was submitted to without a murmur, and the whole deputation being speedily uncovered in the same way, they passed on to the presence of the sovereign. [*London paper.*]

FRANCE.

The report of the French academy of science, on its transactions during the year 1819, contains the following statements:

The population of Paris amounts to 714,000—the number of non-domiciliated or casual inhabitants, is 24,000; the mean number of annual births, 21,000—the proportion of boys to girls, in the births, as 25 to 24; the number of households, 225,000: 70,000 oxen are annually consumed in the capital—9,000 cows—78,000 calves—34,000 sheep—72,000 hogs—74,000,000 eggs—900,000 pigeons—1,200,000 chickens.

A Frenchman, who had long inhabited Cochín China, where he had attained to the rank of mandarin, has arrived at Bordeaux. He obtained the permission of the Cochín China government to re-visit his native country.

SPAIN.

The sum of \$14,000 has been raised at Havana for the relief of the widows and orphans of the persons who fell in the massacre at Cadiz.

The king has declared himself "*first soldier of the nation*." The country seems to be full of liberal sentiments. The press is more than free, and the

priests "quote scripture" in favor of the constitution.

PORTUGAL.

Lord Beresford, or, in other words, "his excellency the marshal-general, marquis of Campo-major," has sailed from Portugal for Rio Janeiro. Previous to his departure, he addressed a general order to the army, announcing his determination to "present himself in the royal presence." From this order, we are led to believe, that this visit to the Brazils arises from the derangement of the kingless kingdom. One of his objects is "to make all possible exertions to ameliorate the state of pay and allowances, which unfortunate circumstances have caused to be so much in arrear, and by which delay of payment his excellency knows and laments the privations which many excellent and deserving officers have suffered; and, on this point, he doubts not that his majesty, with his accustomed regard to his army, will make decisive arrangements."

"The supreme command of the army, during the absence of his excellency, will be lodged with the most excellent lieutenant general, Francisco de Paula Leite." *Com. Adv.*

ITALY.

Sir Humphrey Davy has had great success in unrolling the manuscripts of Herculaneum and Pompeii. In a short time the contents of each roll will be known, as well as its title, which is generally found in the interior.

CAPE OF GOOD HOPE.

The British appear to be much interested in the formation of an extensive colony at the Cape of Good Hope. Many settlers have already arrived there, and, from appearances, will do well. No doubt, it may soon be a strong flourishing colony; and, perhaps, in time, become an independent state. It is, however, the determination of the British government to suspend further aid to emigration to this country until the success of the present settlers is ascertained.

BRAZIL.

A late London paper announces a new work respecting this extensive country, entitled—"The travels of prince Maximilian, in the years 1815, 1816 and 1817." It is represented as giving a very interesting account of this kingdom, the prince having passed through many regions heretofore unknown to European travellers.

SOUTH AMERICA.

It appears that Brion has been compelled to abandon Rio de la Hache, after destroying the town and forts.

The constitution was proclaimed at Carthagena on the 10th of June, with great rejoicings, and in the palace hitherto occupied by the *Inquisition*. The vice-roy was reduced to the rank of lieutenant, without any command. The former commandant of the troops was compelled to leave the country.

A late letter from Cadiz says—"Seven ships of war are now fitting out in this harbor, and will sail about the first week in May, for the purpose of carrying out deputies to different parts of South America. It is understood that the milder weapons of negotiation and of expostulation will be tried before recourse is had to arms.

Buenos Ayres.—Captain Sutton, who has arrived at Portsmouth, N. H. from Buenos Ayres, left that place on the 10th of May. He informs, that Buenos Ayres had long been in a state of commotion, from the conflicting interests of the different chiefs. The government had been five times changed during his stay there. Pueyrredon, who had governed for

a length of time, had, a month before, left that place for Monte Video, with a large property—Artigas declaring he would not make peace while he was in office. Ramirez and Carrera, the mountain generals, who commanded 1500 or 2000 troops, had, a few days before, taken possession of Buenos Ayres, and thrown Sarratea, the governor, in prison. A stop was, in consequence, put to all kinds of business, and the inhabitants were fast quitting the place. Thirty families removed to Monte Video three days before captain Sutton sailed.

CHRONICLE.

"*Going-going-gone.*" Many banks, too tedious to mention, are "shutting up shop"—leaving the little circle in which their notes were received in a state of *wonderment* that a bank should break! Good bye to them. Begotten in iniquity, they have died in corruption. In a few years more, there is some prospect that bank bills will regain their character, provided, nevertheless, we can guard against counterfeited and altered notes. Except the introduction of slavery by the "mother country," they have been nearly the greatest curse which has afflicted our land. But the misery of the thing is, that the fellows who ought, perhaps, to suffer on the gallows for banking frauds, are those who live in *their* palaces and at ease.

The *cashier* of the New-Hampshire bank, at Portsmouth, appears to have made a deficit of \$42,000 79. So we go—Moral principle seems to have sunk beneath giant speculation and fraud.

"*Patriots!*" The brig Wilson, *alias* Bolivar, &c. commanded by capt. Almeida, *et alias*, and apparently having several flags, Buenos Ayrean, Artigan, Venezuelian, *et alias*—by which a Spanish ship bound to Baltimore was recently captured on our coast, was lately off Charleston waiting for men. Information of the fact being given, Lieutenant McClunie, of the United States schooner Revenge, happily arrested a sloop load of her intended crew, and they were lodged in jail, together with a person calling himself Job Weeden and reported to be the surgeon of the privateer.—After this service, lieut. McClunie, in the Revenge, accompanied by the revenue cutter Gallatin, having on board a detachment of U. S. artillery, proceeded to sea to arrest the privateer and her prize, the Santiago—but returned without being able to come up with them.

The "patriot" brig General Ramirez, has been captured off the southern coast and carried into Savannah, by the U. S. revenue cutter Dallas. This vessel is a prize to a privateer, and had on board 280 slaves, mounted 10 guns and was manned with 28 men. She had not any papers—the purpose of her commander was, no doubt, to smuggle the slaves ashore. Her crew have been deposited in jail. This is the vessel by whom young Coppinger, son of the governor of St. Augustine, was taken out of an American vessel—of whom we have the following account from a Charleston paper of the 5th inst.

"A gentleman who arrived at this port yesterday from St. Augustine, informs us, that a few days previous to his sailing, a patriot privateer touched at St. Augustine, having on board Mr. Coppinger, son of the governor of the latter place, who was forcibly taken out of the scho. *Mary*, a short time since, on her passage from this port for Matanzas. The commander of the privateer made the fact of his son being on board, known to the governor, and required a supply of provisions and water, as a con-

dition of his release. Gov. *Coppinger* refused complying with the request, calling the commander and his crew, at the same time, a band of buccaneers, who were unworthy of any assistance. It was finally, through the humane exertions of the above gentlemen who furnished us with these particulars, that young Mr. *Coppinger* obtained his freedom."

Slave traders. Eighteen persons, which belonged to the slave vessels sent into New-York by the *Cyane*, have arrived at Boston, in a merchant vessel, under charge of a midshipman, and were delivered into the custody of the marshal. They are chiefly foreigners and of several nations. The captain of the *Endymion*, however, is an American, named *Andrews*, and a midshipman in the navy. The *Cyane* had not made any new captures.

Piracy. James Chase, convicted of piracy at Charleston, was hung there a few days since, pursuant to his sentence.

Lewis, a person famous for his robberies and escapes from prison in Pennsylvania, has been taken and lodged in the jail of Centre county. He and his associate, *Connelly*, were fired upon by a party resolved to take them: the latter was killed, and *Lewis* himself badly wounded.

Flour, at Lisbon, \$5 per barrel, by retail! The crop of wheat, in the United States, never was nearly so large as in the present year, and that of corn is more promising than ever known: the value of a home market will be seen, felt, and understood by our farmers.

Masonic. Daniel D. Tomkins, vice president of the United States, was recently inducted into the office of 'Most Worshipful Grand Master of the state of New York.' The ceremony was performed by the Most Worshipful Past Grand Master of Masons, gen. Jacob Morton.

St. Paul's church, Boston.—34 pews in this new church, on the ground floor, were sold for \$21,862, an average of about 615 dollars each; and 10 in the gallery at about 150 each.

Specie. It is said, and we think with probability, that there never was more specie in the United States than at this present time.

Fine arts. Rembrandt Peale, of Baltimore, to whose pencil we have been indebted for several exquisite pieces, is now employed on a picture, 24 feet by 15, the subject of which is the "Court of Death," from bishop Porteus's poem.

Walker's Dictionary. The Incorporated Society of Teachers of the city of New-York, (says a paper of that place), have adopted Walker's dictionary as their standard of English pronunciation. Johnson's orthography and Walker's pronunciation will doubtless become the universal standard of English literature.

Pensioners. About one hundred aged soldiers of the revolution assembled at New-Haven, Conn. on the 5th inst. to make application for pensions. The court seemed at first resolved to charge them \$4.75 each, for the necessary papers, to be paid for beforehand. It was impossible for many to comply with this requisition. Public opinion came to the aid of the veterans, and finally the judges, sheriff, clerk, &c. all resigned the fees to which they appeared to be legally entitled.

Baltimore inspections. Among the articles inspected at Baltimore, during the quarter which ended on the 30th June ult., were 108,846 bbls, and 3,917 half bbls. wheat flour, and 1,531 casks indian meal; 30,156 bbls. herrings, and 7,137 do. shad; 1,136 hhd. and 9,086 bbls. domestic liquors.

Maryland penitentiary.—254 males and 55 females, are at present confined in this establishment, variously employed in weaving, cordwaining, hatting, &c.

Direct taxes. By a law passed at the late session of congress, the lands and tenements sold for the United States' direct taxes of 1815 and 1816, and bought in for the United States, may be redeemed until the 30th June, 1821, by payment of the amount of the purchase money, and an interest of twenty per cent. per annum thereon.

Public lands. At a late sale of public lands at Huntsville, it is stated that a very extensive combination of individuals was formed to keep down the price; and that after several lots had been sold it was discovered by the register and receiver, who then stopped the sale—to the great disappointment of some worthy persons who intended to purchase for actual settlement, and not for speculation. The circumstance seems to have caused much excitement at Huntsville.

Naval Order. The navy department has given notice, that all midshipmen whose warrants bear date previous to the first of January, 1814, who intend to be candidates for promotion, are required to report themselves to the department before the first day of October next, that they may attend an examination, which will take place at New-York, on Monday, the 9th day of that month.

Navy charitable association. We understand, (says the New-York Mercantile Advertiser), that a convention of delegates from the officers of the navy and marine corps on the different stations, met on board the United States' ship Washington, in this harbor, on the 4th inst. agreeably to previous arrangements, for the purpose of forming an association for the relief and support of the families of deceased officers. There were present com. Isaac Chauncey, capt. Samuel Evans, master comdt. Alexander J. Dallas and William B. Shubrick, lieutenant. Isaac M'Keever, Dr. Samuel R. Marshall, and Rev. Cheever Felch. Commodore Chauncey was elected president and Mr. Joseph Watson secretary. After discussing the general principles which should be adopted, Dr. Marshall, lieutenant. M'Keever, and the Rev. Mr. Felch, were appointed a committee to draft a constitution for the government of this institution. The convention then adjourned to the 13th inst. On that day the committee reported progress, and, after discussing some points, the convention adjourned to the 14th inst. to give the committee time to perform the duties assigned it. Several delegates have been prevented attending by ill health and other causes. But the convention has before it the expressions of the views of the officers on the home stations, and from the Mediterranean.

Banks. From the Columbus, (O.) Monitor, July 1.—"Hitherto, the banks, one by one, and two at once, have been sliding down the current of obli-vion; but now, at once, the whole of the non-specie paying banks have withered before the magic touch of specie. The bank in this town has resumed specie payments; and nearly all the paper, that was in circulation here, is shut out of bank, and sunk in value.

It is instructing, if not gratifying, to witness the revolutions of things as well as of men. A few years since, a small pile of specie laid on the counter of a banking house, was like the deity of Midas, that turned whole bundles of rags into gold and silver! But now this same metallic rod is "the spear of Ithuriel, which makes every [rag] return of force to its own likeness."

Maine. This new state has quietly proceeded to the business of her new sovereignty, and many acts have passed her legislature suited to her condition. Massachusetts, too, without bustle, is re-organizing her family, so far as it has been affected by the loss of Maine. It is sweet to notice the occurrence of events so favorable to the great first principles of republicanism.

THE ROOSEBENS. *New London, June 29.* We are informed that a contagious disorder is now raging among the sect known by the name of Roge-reen Quakers in Groton. Already several have died, and among them the celebrated Timothy Waterman, their chief elder. The principles of their religion do not allow them to avail themselves of the experience of physicians, or of medicines, to effect a cure. As a specimen of their mode of proceeding in case of sickness, we give an anecdote related to us by a respectable gentleman. A few weeks since one of the members of the society being taken sick, the elder paid her a visit—and after looking around him, gave it as his opinion that her sickness was sent upon her as a punishment for her pride. He immediately suggested, as the only means to preserve her life, that an elegant clock that was standing in the room, should be taken down, and the room should be stripped of its elegant mouldings, which was immediately done. A short time after the elder made another call, and found the patient still lower—he then decided she was not yet sufficiently humble, and the poor clock was brought down from the garret, stove in pieces and burnt! The woman died. The next week Timothy himself was taken sick—he refused all medical aid, and died in the firm belief of the truth of his principles of religion. The society of which he was a member, contains, we believe, 130 persons, and is fast increasing.—They neither bear arms nor vote—they pay their taxes cheerfully—having nothing to do with courts of law, and are a peaceable and industrious people, manufacturing all their own clothing of every description.

We understand that the select men of Groton, with a view to prevent the further extension of the disease, are consulting on the propriety and expediency of removing the sick to Mason's island, on the south shore of the town.

PRESBYTERIAN CHURCH.

The general assembly of the Presbyterian church, in the United States, to the churches under their care:

Whereas it is the duty of all men to acknowledge God in all the dispensations of his providence, and it is peculiarly incumbent on christians to observe the ways of Divine goodness, and the dealings of God to his church: *Whereas*, in the present mixt state of things, wherein mercies and judgments are mysteriously mingled in the administrations of Providence, there is, in the most afflictive circumstances, much cause for thanksgiving and praise; and in the highest prosperity much reason for humiliation and mourning: And *Whereas*, in the present day, there are many remarkable traits in the character of Divine Providence, calling for particular observation, and many events in the church that may well engage the most serious attention of every christian; especially, it has pleased God to visit our country with great and unexampled pecuniary embarrassments, deeply affecting the condition of all classes of persons, and the interests of the various institutions of pious benevolence among us, and at the same time to fill our land with abundance of food for man and beast: as it has also

pleased Him to pour out his Holy Spirit on many parts of Zion, and to cause, as we hope, a great ingathering of souls, and yet to leave many parts unvisited, to allow divisions and jealousies still to prevail among the professed disciples of the Lord—therefore,

It is recommended to all the churches under our care, to set apart the *last Thursday in August next*, as a day of *humiliation, thanksgiving and prayer*, particularly to observe the ways of Providence and the dispensations of grace; to abstain from all unnecessary labor and wordly care on that day; to assemble in their places of worship, and with united heart and voice to render thanksgiving to almighty God for the blessings of his Providence, and for the effusion of his Holy Spirit; and also, to humble themselves before him for their sins; to beseech him to overrule the dispensation of his Providence for his own glory, the good of the church, and the prosperity of our common country; and to plead with Him that he may visit his church in the fullness of his mercy; may heal all divisions, remove every cause of offence, banish all error, and so give efficacy to the word of truth, that every where christians may be edified and strengthened, may walk together in love, and in all things adorn the doctrine of our Saviour; and that those who are afar off may be brought nigh by the blood of Christ, and the whole earth be filled with the knowledge of God.

Signed by order of the general assembly,
JOHN M'DOWELL, *Moderator.*
Philadelphia, June 1, 1820.

GENERAL ORDERS.

Head quarters, Portland, (Maine,) June 20, 1820.

Fellow soldiers! Connected for many years past, in the performance of military duty with many of you, and now, by the suffrages of my fellow citizens, associated with you all, it is peculiarly proper that I should address you on the present occasion. Our constitution has been framed and adopted with uncommon unanimity; invidious and improper exemptions are no longer tolerated, which will, no doubt, animate you with new zeal in the discharge of your duty as citizen soldiers.

Having an extensive and exposed sea coast, and a territory bordering to the north and the east upon the possessions of a foreign power, with whom, I trust, we shall, on our part, ever cultivate friendly relations, but with whom we have more than once been in a state of hostility, you cannot be too strongly impressed with the importance of the services which you may be called upon to render to your country. While we rely with confidence upon the government of the United States for general protection and defence, the militia must ever be considered as constituting our main pillar of security, on all sudden emergencies; as standing armies are equally opposed to the genius of our government, and the feelings and interests of the people.

Relying on your good conduct, spirit and discipline, I flatter myself that you will not permit yourselves to suffer in comparison with the troops of any part of our country. I request you, fellow-soldiers, to be assured of my exertions in promoting the best interests of the militia, and of my particular attention to every meritorious officer; while, on the other hand, it will be my object to see that the laws are promptly executed, where the character of the officer is not honorably supported.

WILLIAM KING.

SAMUEL COXY, *Adjutant-general.*

Missouri Question.

SPEECH OF MR. SERGEANT, (OF PENN.)
IN THE HOUSE OF REPRESENTATIVES.

The question before the committee was on agreeing to the following amendment:

"And shall ordain and establish that there shall be neither slavery nor involuntary servitude in the said state, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted. Provided always, that any person escaping into the same, from whom labor or service is lawfully claimed in any other state, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid. And provided also, that the said provision shall not be construed to alter the condition or civil rights of any person now held to service or labor in the said territory."

MR. CHAIRMAN: The important question now before the committee, has already engaged the best talents and commanded the deepest attention of the nation. What the people strongly feel, it is natural that they should freely express; and whether this is done by pamphlets and essays, by the resolutions of meetings of citizens, or by the votes of state legislatures, it is equally legitimate, and entitled to respect, as the voice of the public, upon a great and interesting public measure. The free expression of opinion, is one of the rights guaranteed by the constitution; and, in a government like ours, it is an invaluable right. It has not, therefore, been without some surprise and concern, that I have heard it complained of, and even censured, in this debate. One member suggests to us that, in the excitement which prevails, he discerns the efforts of what he has termed an "expiring party," aiming to re-establish itself in the possession of power, and has spoken of a "juggler behind the scene." He surely has not reflected upon the magnitude of the principle contended for, or he would have perceived at once the utter insignificance of all objects of factious and party contest, when compared with the mighty interests it involves. It concerns ages to come, and millions to be born. We who are here, our dissensions and conflicts are nothing, absolutely nothing, in the comparison: and I cannot well conceive, that any man who is capable of raising his view to the elevation of this great question, could suddenly bring it down to the low and paltry consideration of party interests and party motives.

Another member, (Mr. McLane), taking, indeed, a more liberal ground, has warned us against ambitious and designing men, who, he thinks, will always be ready to avail themselves of occasions of popular excitement, to mount into power upon the ruin of our government, and the destruction of our liberties. Sir, I am not afraid of what is called popular excitement—all history teaches us, that revolutions are not the work of men, but of time and circumstances, and a long train of preparation. Men do not produce them; they are brought on by corruption—they are generated in the quiet and stillness of apathy, and to my mind nothing could present a more frightful indication, than public indifference to such a question as this. It is not by vigorously maintaining great moral and political principles in their purity, that we incur the danger. If gentlemen are sincerely desirous to perpetuate the blessings of that free constitution under which we live, I would advise them to apply their exertions to the preservation of public and private virtue, upon which its existence, I had al-

most said entirely, depends. As long as this is preserved, we have nothing to fear. When this shall be lost—when luxury and vice and corruption, shall have usurped its place, then, indeed, a government resting upon the people for its support, must totter and decay, or yield to the designs of ambitious and aspiring men.

Another member, the gentleman to whom the committee had lately listened with so much attention, (Mr. Clay), after depicting, forcibly and eloquently, what he deemed the probable consequences of the proposed amendment, appealed emphatically to Pennsylvania, "the unambitious Pennsylvania, the key-stone of the federal arch," whether she would concur in a measure calculated to disturb the peace of the union. Sir, this was a single arch; it is rapidly becoming a combination of arches, and where the centre now is, whether in Kentucky or Pennsylvania, or where at any given time it will be, might be very difficult to tell. Pennsylvania may indeed be styled "unambitious," for she has not been anxious for what are commonly deemed honors and distinctions, nor eager to display her weight and importance in the affairs of the nation. She has, nevertheless, felt, and still does feel, her responsibility to the union, and under a just sense of her duty, has always been faithful to its interests,—under every vicissitude, and in every exigency. But Pennsylvania feels also a high responsibility to a great moral principle, which she has long ago adopted with the most impressive solemnity, for the rule of her own conduct, and which she stands bound to assert and maintain, wherever her influence and power can be applied, without injury to the just rights of her sister states. It is this principle, and this alone, that now governs her conduct. She holds it too sacred to suffer it to be debased by association with any party or factious views, and she will pursue it with the singleness of heart, and with the firm but unoffending temper which belong to a conscientious discharge of duty, and which, I hope I may say, have characterized her conduct in all her relations. If any one desire to know what this principle is, he shall hear it in the language of Pennsylvania herself, as contained in the preamble to her act of abolition, passed in the year 1780. I read it, not without feelings of sincere satisfaction, as abridged by a foreign writer, with his introductory remark. (2 *Belsham*, 23, *memoirs of Gen. 3.*)

"It affords a grateful relief from the sensations which oppress the mind in listening to the tale of human folly and wretchedness, to revert to an act of the most exalted philanthropy, passed about this period by the legislature of Pennsylvania, to the following purport:" "When we contemplate our abhorrence of that condition, to which the arms and tyranny of Great Britain were exerted to reduce us, when we look back on the variety of dangers to which we have been exposed, and deliverances wrought, when even hope and fortitude have become unequal to the conflict, we conceive it to be our duty, and rejoice that it is in our power, to extend a portion of that freedom to others which hath been extended to us, to add one more step to universal civilization, by removing, as much as possible, the sorrows of those who have lived in undeserved bondage. Weaned by a long course of experience from those narrow prejudices and partialities we had imbibed, we conceive ourselves, at this particular period, called upon, by the blessings we have received, to manifest the sincerity of our profession. In justice, therefore, to persons who, having no prospect be-

fore them, whereon they may rest their sorrows and their hopes, have no reasonable inducement to render that service to society which otherwise they might; and also in commemoration of our own happy deliverance from that state of UNCONDITIONAL SUBMISSION to which we were doomed by the tyranny of Britain: BE IT ENACTED, that no child born hereafter shall be a slave, &c." In this manner did Pennsylvania express her thankfulness for the deliverance that had been wrought for her, and I am confident she will never incur the sin and the danger of ingratitude.

Stedfastly as Pennsylvania holds the position here taken, she will not officiously obtrude her opinions upon her sister states. One of the grounds of her rejoicing, and one of the causes of her gratitude, was, that "she had it in her power to abolish slavery." She will not, in this respect, presume to judge for others, though she will rejoice if they too should have the power and feel the inclination. But, whenever the question presents itself, in a case where she has a right to judge, I trust she will be true to her own principles, and do her duty. Such I take to be the case now before the committee.

The proposed amendment presents for consideration three questions: that of the constitutional power of congress, that which arises out of the treaty of cession, and, finally, that which is termed the question of expediency. I beg the indulgence of the committee while I endeavor to examine them in the order stated.

1. We are about to lay the foundation of a new state, beyond the Mississippi, and to admit that state into the union. The proposition contained in the amendment is, in substance, to enter into a compact with the new state, at her formation, which shall establish a fundamental principle of her government, not to be changed without the consent of both parties; and this principle is, *that every human being born or hereafter brought within the state, shall be free.*

The only questions under the constitution seem to me to be, whether the parties are competent to make a compact, and whether they can make such a compact? If they cannot, it must be either for want of power in the parties to contract, or from the nature of the subject.

It cannot, at this time of day, be denied, that the United States have power to contract with a state, nor that a state has power to contract with the United States. It has been the uniform and undisputed practice, both before and since the adoption of the constitution. There are numerous instances of cessions of territory, or claims to territory, by states, to the union. By New-York, in 1781; by Virginia, in 1784 and in 1788; by Massachusetts, in 1785; by Connecticut, in 1786; by South Carolina, in 1787; by North Carolina, in 1790; and by Georgia, in 1802. The last mentioned cession is the more remarkable, because it was made by a formal agreement between the United States and Georgia, in which the stipulations on each side are stated in the same manner and with the like solemnity, as in contracts with individuals. No doubt they were considered to be, and really are, of equal efficacy.

There is one instance of a cession of territory by United States to a state—that to Pennsylvania, in September, 1788, in which also there are mutual stipulations.

Each of these instances, is a case of mutual compact, by which there was a surrender of a portion of power and sovereignty, on the part of the re-

spective states; by which, too, there were terms mutually agreed upon. The most striking is that from Virginia, which I shall have occasion to refer to hereafter, and that from Georgia, because they both contain conditions operating as a restraint upon the legislative authority of the United States, binding and adhering to the ceded territory, and fixing the terms and conditions of its future government. So, when the United States, soon after the state of Louisiana was admitted into the union, enlarged the territory of that state by a cession, it was done upon conditions, which thenceforth became obligatory upon the state.

These instances are sufficient to show that the United States, and a state, are competent to make a binding compact. Indeed it is impossible that any man should doubt it. The states have capacity to contract with each other, so far as they are not restrained by the constitution. In 1785 a compact was made between Pennsylvania and Virginia. There was a compact between Pennsylvania and New-Jersey, and between South Carolina and Georgia. The only restraint in the constitution, (art. 1, sec. 10, clause 2), is that which prohibits states from entering into any agreement or compact with each other, or with a foreign power, without the consent of congress; and this prohibition, from its very nature, admits that they may enter into such compacts or agreements with the United States.

The states have a capacity to contract even with individuals, and in so doing to part with a portion of their legislative power. This is the case wherever a charter of incorporation is granted, by which rights of property become vested. During the period of the charter, the subject is beyond the control of the legislative authority, which is so far suspended or extinguished by the grant. The United States have done the same thing, and with the like effect.

If it be competent to the United States to contract with an old state, it seems to follow of course, that it has a competency to contract with a new one. The admission of the state is itself a compact, as the constitution of the United States was a compact between the existing states; and it would be difficult to assign any good reason, why, upon the admission of a new state to a participation in the privileges and benefits of the union, such terms might not be proposed and insisted upon as the general welfare should seem to require; as the stipulation, whatever it may be, derives its binding efficacy from the assent of the state, which its sovereignty, or qualified sovereignty, enables it to give, a new state is as competent as an old one. Indeed, the possession and the exercise of this power are necessary to enable the United States to execute the contracts they may enter into, with any state of the union, upon receiving from it a cession of territory, wherever such cession is accompanied, as it usually has been, with terms upon the part of the ceding state, applying to and intended to bind the territory ceded.

Accordingly, no new state (unless formed out of an old one) has ever been admitted into the union, but upon terms agreed upon by compact, and irrevocable without the consent of all the parties. The states formed out of the North-West territory, (Ohio, Indiana, and Illinois,) have been made subject, as a fundamental law of their government, to the terms of the ordinance of 1787, including the very condition now proposed for Missouri. The states of Mississippi and Alabama, formed out of the territory ceded by Georgia, have been subjected to all the provisions of the ordinance, except

the one which regards slavery, and that was expressly excluded by the terms of the cession. The state of Louisiana, the only one yet formed out of the territory acquired from France, has been, in like manner, admitted upon terms; different, it is true, from those which have been required from the other states, but still such terms as congress thought applicable to her situation, and such as are sufficient to demonstrate the extent of the authority possessed by the United States. Even in the bill now under consideration, certain propositions, as they are styled, are offered to the free acceptance of Missouri, but if accepted, they are to be forever binding upon her.

Thus, it appears, that a new state may contract; and it is essential that it should be so, for her own sake as well as for the sake of the union. It remains, then, to enquire, whether the stipulation proposed in the amendment, is, on account of the nature of the subject, such an one as it is beyond the power of a state to enter into? It has already been remarked, that a state, at the moment of its formation, is as entirely sovereign, and as capable of making a binding contract, as at any future period. The real question, therefore, is, whether it is beyond the power of any state in this union, for any consideration whatever, to bind itself by a compact with a state, or with the United States, to prohibit slavery within its borders? To suppose so, seems to impute a want of sovereign power, which could only arise from its being parted with by the constitution, and this I think can scarcely be affirmed. But I do not mean to anticipate, as my object at present is to follow the practice of the government.

In this view, the ordinance of 1787, respecting the North-West territory, and the history of the states formed under it, are eminently deserving of consideration and respect. This ordinance was formed upon great deliberation. It was intended to regulate the government of the territory; to provide for its division into states, and for their admission into the union; and to establish certain great principles, which should become the fundamental law of the states to be formed. In its territorial condition, it was subject to the exclusive jurisdiction of congress, to be exercised by the ordinary process of legislation. But it was one of the terms of the cession by Virginia to the U. States, that this territory, as it became peopled, should be divided into states, and that these states should be admitted into the union, "upon an equal footing in all respects with the original states." We shall now see how the fulfilment of this engagement was effected. After providing for the territorial government, the ordinance proceeds as follows. "And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions and governments, which forever hereafter shall be formed in the said territory; to provide, also, for the establishment of states, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original states, at as early periods as may be consistent with the general interest—It is hereby ordained and declared, that the following articles shall be considered as *articles of compact*, between the original states and the people and states in the said territory, and *forever remain unalterable unless by common consent*." Then follow the several articles, of which the sixth declares, "that there shall be neither slavery nor in-

voluntary servitude," &c. The fifth article provides expressly, that "the constitution and government (of the states) so to be formed, shall be republican, and in conformity to the principles contained in these articles." When the states of Ohio, Indiana, and Illinois, respectively, applied for admission, they were admitted upon the express condition that their constitutions should be republican, and in conformity to the ordinance of 1787. They assented to the condition, and were admitted "upon an equal footing with the original states."

I am aware that all this has been pronounced, rashly I think, to be an usurpation. The term does not well apply, at this time of day, after the repeated sanction of every kind which the ordinance has received. In truth, if there be anything in our legislative history, which is entitled to our affection for the motives in which it originated; to our veneration for the authority by which it is supported; to our respect for the principles embodied in it, it is the ordinance of 1787. But the charge of *usurpation* is in every sense inapplicable, for the efficacy of the contract arises from the assent of the state to the conditions proposed as the terms of her admission.

But this ordinance is entitled to still higher consideration. It was a solemn compact between the existing states, and it cannot be doubted, that its adoption had a great influence in bringing about the good understanding that finally prevailed in the convention, upon several points which had been attended with the greatest difficulty. It passed on the 13th July, 1787, while the convention that framed the constitution was in session. From the minutes of that body, lately published, it will be seen, that the two most important and difficult points to adjust, were those of the admission of states, and the slave representation. This ordinance finally adjusted both the matters, as far as concerned *all the territories then belonging to the United States*, and was therefore eminently calculated to quiet the minds of the advocates of freedom; to remove their objections to the principle of slave representation, and to secure their assent to the instrument which contained that principle, by limiting its operation to the existing states. It is not to be questioned, that this ordinance, unanimously adopted, and, as it were, fixing an unchangeable basis by common consent, had a most powerful influence in bringing about the adoption of the constitution. It is a part of the groundwork of the constitution itself; one of the preliminary measures upon which it was founded. Hence the unusual solemnity of the terms in which it is conceived, so different from the ordinary forms of legislation, and which give to it the character of a binding and irrevocable covenant.

Such, then, is the power that has *always* been exercised by congress, upon the admission of new states into the union, and exercised without dispute. Whence was it derived? It was exercised, as we have seen, immediately before the adoption of the constitution, while that instrument was under consideration, and recognized immediately after, by the act of the first congress supplementary to the ordinance. Nothing can be more clear, than that if the ordinance of 1787 was inconsistent with the constitution, it was repealed by that instrument. If the convention had meant to repeal it, they would have done so. It was directly in their view, and embraced a subject which was earnestly and carefully treated by that body. And yet, immediately after, when the same men who had framed the constitution, and knew its intention, were many of

them members of congress, the supplement to the ordinance was adopted. That was not a time, you may be assured, for stretching the federal power. The greatest jealousy prevailed, and the friends of the constitution were obliged to observe the utmost caution, while it was slowly winning its way to the public favor, refuting the suggestions of its enemies, and settling down, gradually but firmly, upon the solid foundation of ascertaining public benefit.

In what what part of the constitution is this power conferred? It is conferred by that provision which authorises congress to admit new states into the union; and to me it seems perfectly plain, that we need look no further for it. There are other parts of the constitution which have a bearing upon the question, because they apply to the subject upon which it is proposed to exercise the power, and may very well be used for the purpose of illustration or of argument. This use of them affords no just occasion for the remark, which has been so triumphantly made, that the friends of the restriction differ among themselves, as to the part of the constitution, from which the power to impose it is derived. They do not differ. But, as upon every other question of constitutional power, they naturally resort for information to all the provisions of the constitution, which have relation to the matter in discussion.

The power to *admit new states* is given to congress in general terms, without restriction or qualification, and upon every just principle of construction, must be understood to confer whatever authority is necessary for carrying the power into effect, and every authority which in practice had become incident to the principal power, or was deemed to make a part of it.

Of late it has been the fashion to insist upon a liberal construction of the constitution, and its most extensive efficacy has been found in the implied powers it is supposed to confer. All powers are implied that are necessary for the execution of the enumerated powers, and the necessity need not be absolute; a modified necessity or high degree of expediency is sufficient. Whence the authority to incorporate a bank? Whence the authority to apply the public treasure to the improvement of roads and canals? Whence the authority to encourage domestic industry by bounties and prohibitions?—Whence the authority to purchase and to govern the territory now in question? Is it to be found in the letter of the constitution? They all rest upon this single position, that an original power having been granted, every other power is implied which is necessary or useful for carrying that power into execution—and this is an inherent essential principle of the constitution, altogether independent of its express words.

But the power in question rests upon stronger ground than this. The constitution of the United States, though in form the work of the people (who made it their own by adoption) was a compact between states. It was made by delegates chosen by the states. The votes in the convention were given by states. It was submitted to the states for their ratification; and its existence depended upon the sanction of a certain number of the states. These states were sovereign, but confederated by a slight and insufficient union, incapable from its weakness of providing for the common welfare. Their sovereignty extended to every thing within their limits, and to every thing else, but the few powers (if they deserve to be so denominated) which were conceded to the congress of the union. Nevertheless, it is

a *confederation* which comprehended all who were parties to it, and excluded all others. Was there a power in this confederacy to admit new members? It cannot be doubted. To whom was that power confided? The express provision in the articles of confederation, which has been quoted and relied upon in opposition to the power contended for, has no relation to the subject of new states, to be formed and admitted from the territory of the United States. It was an invitation to Canada and the other British colonies in America to join us in resistance of the common enemy, and if they had accepted the invitation, they would have come into the confederation upon the terms only of making common cause with us. But their was a power, independently of this provision, to admit new members. That is clear from its exercise—and *that power* was exercised by the states in congress.—When Virginia, in 1786, ceded to the United States her claim to the North West territory, it was upon condition that the territory should be formed into states, and that these states should be admitted upon an equal footing with the original states.—Congress accepted the cession upon that condition, and proceeded to fulfill it by the ordinance of 1787.

The *extent* of the power, the *mode* of its exercise, and the *incidents* belonging to it, were also determined by the practice of our government. Among these incidents, was that of making *terms, conditions or compacts*, with the states admitted: and so inseparably incident was this deemed to be, that when Virginia stipulated for the admission of the states upon an equal footing with the original, that stipulation was understood to be fully complied with, by admitting them upon terms. It is not at all material to the present purpose, to enquire whether the ordinance of 1787 was or was not an usurpation. If there was any authority usurped, it was that of admitting the states, the principle power itself, not the incidents. It is sufficient that in point of fact, the power of admitting new states was exercised, and was understood from its exercise to include in it the power of proposing terms, conditions or stipulations, and among them the very condition now in question.

When the power of admitting new states into the union, was vested by the constitution, without limitation, in the congress of the United States, was it not intended to carry with it whatever in practice had been established to be an incident of the power, or a part of the power? Where was the residue lodged? Not with the states; for the states, as such, have no longer a voice in the union, except for the purpose of amending the constitution. Not with the people; for the people have no voice, but through their representatives in congress. The matter resolves itself at last into this single question: Did the people of the United States, when they framed their constitution, mean to give up and forever relinquish the power of proposing terms, or did they deposit it with their own immediate agents, chosen by themselves? They had always found terms of some sort beneficial and necessary and they have been necessary and expedient in every instance since the constitution was formed, so that, with the exception of Vermont, not a single state has been admitted into the union but upon conditions agreed to by compact. Who are the congress of the United States? by whom are they chosen? who do they represent? The people of the existing states. Who is it claims to be admitted into the confederacy, and to participate in the benefits of the union? An alien, as yet, one who has no *right* of admission; whom the

people of these United States as a political association reject. Can it be supposed, that by framing a constitution of government for themselves, the people of the United States meant to destroy forever their own inherent right of prescribing terms and conditions of admission? And yet this is the obvious result of the argument, for as it denies the power to congress, and it cannot be exercised by the states or the people, it is forever gone. In what part of the constitution do you find any countenance for such a conclusion? There are limits, it is true, to the powers of congress, but those limits are the boundaries which separate the rights of the union from those of the states and the people. Is there any power denied to congress which is not reserved to the states or the people? Was any power intended to be denied to them, in its nature fit and proper to be exercised, but which could not be exercised by the states or the people?

Besides, if this power was, in its exercise, to be merely ministerial, why was it confided to congress, the highest legislative authority of the nation, entrusted with the care of all its most important concerns? It is derogatory to the character of congress, and altogether inconsistent with the general tenor of its high duties, to suppose, that it shall be required to perform an office so humiliating. One gentleman tells us, that Missouri has a right to be admitted, and will assert her right. What is this but to say, she will knock at the door, because it is civil to do so, but if it be not immediately opened, she will break it down and come in by force. Another gentleman has told us of a citizen of Missouri, who said, that rather than submit to the restriction, he would shoulder his musket against the United States. Such intimations have no other effect than to create a very reasonable doubt whether Missouri is yet fit to be admitted. Admission presupposes the existence in the new territory of principles and feelings somewhat like those which govern other parts of this union, and those are feelings of submission and respect for the constitution and laws, and the authority exercised under them. If we have no right to impose the condition, there is an end of the question: But if we have a right, and it is deemed expedient to exercise it, I trust the congress of the United States are not to be frightened from their purpose by threats like these.—What becomes of the union, which gentlemen express so much anxiety to preserve, if it cannot assert and maintain its rightful authority, even against a territory, without the original limits of the United States, only very lately acquired, and with a population who have scarcely had time to become acquainted with each other? Such an union could hardly be worth preserving. Why, sir, when Virginia brought her eldest daughter Kentucky, trained up in the habits and affections of her parent to an age when she was fit to be introduced into the society of the union and offered her, as an associate fit to be received, congress, it is admitted, had a right to receive or reject her.—But when a state formed out of an alien territory, and having had no paternity but that of congress, offers herself for admission, she may demand and insist upon being received. And does Missouri deem so lightly of the privilege of belonging to this union, that she would rather forego it than make a slight sacrifice of a seeming advantage, or that she would hazard it for the sake of asserting her own opinion in opposition to that of congress? I cannot believe, that upon reflection she will adopt any such course. If she should, it will be time

enough then to consider how the authority of the union is to be maintained.

I have said that it is derogatory to the authority of congress, and wholly inconsistent with the tenor of its high duties and capacities, to suppose that it is merely to perform the humble ministerial office of opening the door, upon demand, for the admission of a state, without any discretion whatever.—No instance can be found, where the constitution has assigned to the legislative power the performance of such a duty. Thus construed, it is not a power at all. The cases that have been put are in no respect analogous. The power of congress, upon the death of the president and vice-president, to declare what officer shall act as president of the United States, is a very high power, involving in its exercise much discretion, a discretion commensurate with the various and important trusts confided to the chief magistrate. It can with no propriety be said to be ministerial, and its being deposited with congress, is the strongest proof of the confidence reposed in that body. The office of counting the ballots, upon the election of president and vice-president, simple as it may seem, and easy as in ordinary cases it is, is nevertheless an office of important trust, and including some judicial discretion, as well as a most serious responsibility. It is a fit office to be executed by the highest body in the nation. The power of impeachment is not a ministerial, but a judicial power, and it belongs not to congress, but to a single branch. The same remark applies, with equal force, to the right which each branch possesses of judging of the elections and returns of its members, a judicial power, incident to every body composed of elected delegates, and one of its inherent privileges. In all these cases, however, it may not be amiss to observe, that the constitution gives only the principal power. The incidental powers, such as sending for persons and papers, enforcing the attendance of witnesses, and the like, are implied from the principal grant.

That construction which supposes that congress have a power indeed to admit or to reject, but simply to admit or to reject, seems to me (though it might be sufficient for the present case) to reflect upon the wisdom of the framers of the constitution. The objection to the admission of a state may arise from something not in its nature insuperable, but which might be removed by compact or by accepting a condition. Would it not be worse than idle to say that, in such a case, the state must be rejected, for want of a power, on the one side to propose, and on the other to agree to certain terms of compact? In truth, as will be shown more fully hereafter, such a discretion in congress, is essentially necessary to the just exercise of the power of admission, not only on account of the union, but also of the states to be admitted.

The gentleman from Delaware has indeed argued, that the power given is to "admit" not to "form or create" a state, and therefore congress have no power to interfere in the formation. This only brings us back to the enquiry, what is meant by the word "admit?" It has always been understood that congress have a right, and are in duty bound, to superintend the formation of a state, and to see that it is properly formed. The terms of the very bill now on your table (following the usual phraseology) "authorize" the people of Missouri to form a constitution of state government preparatory to their admission.

But, antecedently to the constitution itself, the

states then existing had prescribed certain terms or conditions to the states to be formed out of the N. W. territory. If congress have no power but to admit or to reject, the territory was by the constitution, liberated from those conditions, for want of authority to impose them. There might be a question, indeed, whether the territory has not reverted to the states which ceded it, in consequence of the incapacity of congress to fulfil the stipulations.

I beg leave then to return to the question—the incidents to this power being quite as important as the power itself, the power being worse than worthless without them, did the people of the U. States, in framing the constitution of government for themselves, intend to destroy the power, by stripping it of the incidents that gave it all its value? Did they mean to prevent its application to the cases to which they had themselves applied it? And for what purpose? Better, far better, would it have been, that no power at all should have been given to congress, than that they should thus be required, either blindly to admit, or sullenly to reject. The design of the constitution was not to abridge, but to enlarge and strengthen the powers of the federal government, and it would be strangely inconsistent with the general plan, to suppose, that in a matter which is properly of national concern, it had denied to congress a portion of power which had been actually and beneficially exercised under the confederation. We should naturally expect to find it where it was deposited before. I think it is accordingly there deposited, with all its established incidents, among which is that now in question.

This power is not now asserted for the first time under the constitution. It has always been exercised by congress. There never has been a state admitted, except Vermont, without conditions which surrendered a portion of legislative authority, more or less extensive. Kentucky entered into stipulations with Virginia, and among them was one by which she bound herself, for five years, not to tax the lands of non residents higher than those of residents, and never to tax the lands of non-residents, who should reside in Virginia, higher than those of residents. This is a perpetual restraint upon her power of legislation, but it is no diminution of her sovereignty. The states of Ohio, Indiana, and Illinois, by compact with the United States, are under a perpetual incapacity to permit slavery within their limits. This is no derogation from their just sovereignty, nor does any man imagine that it impairs their character or lessens their weight in the union. Alabama, Mississippi and Louisiana too, have come in upon conditions imposed by congress at the time of their admission. In every such instance, the states have been deemed to be, and have in fact been, admitted upon an equal footing with the original states. The uniform exertion of this authority, for such a length of time, is not to be regarded merely as furnishing us with so many precedents, entitled to more or less consideration according to circumstances. There must be a time after which the practical construction of the constitution, universally understood, and adopted, and acquiesced in by the people, especially in matters of great public concern, is to be deemed the true construction, and placed beyond the reach of dispute or controversy. Shall we now undo all that has been done for above thirty years, and done with the common consent? Shall we reject as erroneous the interpretation that has been, without exception, put upon the constitution from the time of its adoption? It is due to the constitution itself, that it should not be exposed to treatment which

must weaken its claim to the public confidence and respect. It is due to the people, whose constitution it is, that what has always been understood in practice to be, that it shall continue to be, until they may think proper to change its provisions.

But here we are met by an objection, which seems to be considered by those who present it as of great force. If one condition may be proposed why not another, and another, without limit, to the entire annihilation of all the rights of the state? This argument, though pressed with a sort of triumph, as if it were completely unanswerable, can scarcely be said to be even plausible. The possible abuse of power can never be urged to show that a power does not exist, or that it is not, upon the whole, salutary and proper; for, if admitted at all, it proves by far too much, as it is equally available against every grant of power. In the formation of government, the first enquiry must be, what authority is fit and necessary to be delegated, and then we are to enquire to whom it shall be confided, and what security can be provided against its faithless exercise? All authority is exposed to the danger of abuse, for it is administered by men. Government has been said, by a once celebrated popular writer, to be itself an evil, inasmuch as its necessity arises from the vices and weakness of our nature. But the constitution has provided, with the greatest care, against the abuse of power, by making every public agent, in some way, accountable for his conduct, and by conferring the highest powers upon those who are immediately responsible to the people; and as long as the people shall continue to be faithful to themselves, so long the check will continue to be effectual. This is the great security, and it depends upon the virtue and intelligence of the people. No government ever afforded the same degree of protection, with so little burthen; and if we had not been most vehemently censured abroad for speaking well of ourselves, I would add, that there is probably no other people upon earth who could be kept quiet by so light a pressure. The government and the people are suited to each other. Long may they continue so.

The congress of the United States, the immediate representatives of the people, and immediately accountable to the people, are the fit depositories of such a power as that now claimed, for it concerns the general welfare. They have no motive to abuse it; and if they were so inclined, they cannot abuse it, because they have no power to impose the condition. The state may, at her pleasure, reject the offer, and remain in her territorial condition, where she will be subject to the unqualified power of congress.

It must be manifest to every one who has reflected upon the subject, that there are terms which are obviously salutary and proper, and necessary to be proposed upon the admission of a state. When Louisiana asked to come into the union, did any one doubt that it was right to require, that her legislative and judicial proceedings should no longer be carried on in a language unintelligible to the other citizens of the United States, without the aid of an interpreter? There are terms, too, which would be manifestly improper, and there are terms, I freely acknowledge, which would be incompatible with the constitution. There must be a discretion somewhere, to judge between the two first classes. Our government would be incomplete without it. Where can the power be so safely lodged as with the congress of the U. States, to decide what terms the general interests require to be proposed? They have never yet abused it, and I think

there is no danger that they ever will. But where do the opponents of the amendment propose to lodge the power? Leave the state free, it is said; let her adopt such a plan of government as best suits her own circumstances. And is there no danger to be apprehended from that quarter? Supposing her to be competent to judge what is best for herself, or most for her own advantage, (of which, if she desires slaves, I must be permitted to doubt) yet, as she claims to become a member of this union, the general interest of all are involved in her decision, and her views may not be those which best comport with the public welfare. Of that she is not, in any sense, as competent to judge as those who are entrusted with the care of the concerns of the whole.

Is it too much then to say, that the right to judge of terms which are not incompatible with the constitution, belongs to the union, and to congress as the admitting power? It is essential that it should be so, for the sake even of the state applying for admission. I have immediately at hand an illustration, and, if I mistake not, a most cogent argument, to which I invite the particular attention of the delegate from Missouri. I feel nothing but good will for that gentleman, and nothing but good will for his constituents, whom he represents here with so much zeal and ability; and I submit this matter for his and their consideration. It is not to be denied that congress have the power to fix the limits of the state, and that they are not obliged to give her all the territory comprehended in the boundaries stated in the bill. This is entirely within their control. Suppose congress should be of opinion, that, if Missouri is to be a slave state, her northern boundary ought to be the river, cutting off the large and fertile tract of country that lies beyond it: but, if she will adopt the proposition of the amendment, she ought to have for her domain the whole territory within her present limits. Might not congress propose to her the alternative, take the restriction and you shall have all the territory; reject the restriction, and you shall not go beyond the river? Something of this kind is very likely to happen, and it may hereafter appear that Missouri is contending for a principle that will operate much to her disadvantage. For my own part—and I speak only for myself—I most freely and sincerely declare, that if the restriction be not agreed to, I will vote for reducing Missouri to the smallest limits that are consistent with the character of a state. If the restriction be agreed to, I will vote for giving her such boundaries as will secure her grandeur and comparative importance.

From the view which I have now endeavored to take, it will follow, that whoever objects to any condition proposed, as being beyond the power of congress, must fail, unless he show, *that the particular condition is incompatible with the constitution of the United States: that it is such a condition as the state has not a power to assent to.* I am very sensible that the question which arises here, is interesting and important, and that it is delicate, though, otherwise, I think, not difficult. No one who has a feeling of regard for his country, can be indifferent to the sensation it occasions in this house, nor perceive, without some emotion the line of division it marks. Yet it is a question that is before us; it is a question we must meet, and while we owe it to our country to meet it fully and fairly, we owe it to each other to meet it with mutual respect and forbearance. I will concede even more:—we are not to entertain, much less to express, a thought hostile to the rights of those inhabitants where slavery exists; and in any

thing I may say, I hope it will always be understood, that I consider those rights entitled to the protection of all the power of the country, without reference, to any other consideration than that they are acknowledged by the constitution. Among the many evils of slavery, it is one, that where it exists, it can scarcely be freely discussed, and yet there may be occasions when its free discussion is of the greatest importance. The same kind of difficulty existed at the formation of the constitution. It was not removed by crimination, or suspicion, or threats—it was adjusted upon the basis of an existing state of things!

Is this condition, then, incompatible with the constitution of the United States—so incompatible that a state cannot assent to it? For, if a state might voluntarily surrender it, congress may require its surrender as the term of admission. With what part of the constitution is it incompatible? It interferes with no express provision of that instrument. It must then be implied. What an implication! Instead, however, of pointing out the parts of the constitution from which this implication can be made, state rights are immediately sounded in our ears—state rights are invaded and inviolated. Sir, state rights is a phrase of potent efficacy, and, properly understood, of sacred regard. But what are state rights? They are ample—they are inviolable; they are the sure foundation and the lasting security of our liberties, and, I hope I may add, they are in no danger from the present proposition. But, I must be permitted to say, there are rights of the states who are parties to the constitution, and rights of states afterwards to be admitted into the confederacy. Will it be contended that they are, in all respects, identically the same, or that a new state is not upon an equal footing with the original states, unless it possesses precisely the same powers? A moment's attention will show that it cannot. Before the confederation, the thirteen states who composed it were, *in all respects*, sovereign and independent states, possessing *all* the attributes of sovereignty. The confederation was of sovereign and independent states, united only for certain purposes of common concern, in the management of which they acted as states. When, in the course of events, these states came to form a more intimate union, they presented to the convention, points in which they agreed, and points in which they differed. They were respectively sovereigns of all the soil within their limits, and proprietors of all the vacant land. They were sovereigns for all the purposes of foreign as well as domestic legislation; and no new confederate could be admitted but by common consent, and upon such terms as the existing states might think fit to prescribe. There were, too, accidental diversities among them, of which I need only mention one, the existence of negro slavery in some of the states, permitted by their laws, and incorporated into their institutions.

With respect to the *existing states*, it may truly be affirmed, that they were left in the possession of every power and right, which was not conceded by them to the union. They derived no right or power from the constitution; they only retained what they before possessed, without enquiry into the nature of its origin. The extent of this reserved possession is more easily understood than defined. It is sufficient for the present purpose to say, that it comprehended all the power of slavery, as an *existing state or condition*, which they did not choose to renounce or relinquish, and, perhaps, had it not in their power to extirpate, if they had so desired. The constitution was thus the creature of the states;

the work of their own hands. But what is a new state? It is the creature of the constitution, deriving from the constitution its existence and all its rights, and possessing no power but what is imparted to it by the constitution. If it has a power to establish slavery, it derives that power from the constitution, and the constitution becomes stained with the sin of having originated a state of slavery. What a reflection this would be upon that instrument! How is it calculated to diminish the sacred regard that has been felt for it here and abroad! Up to the present moment, no such charge can be made against the constitution. With respect to the existing states, it only tolerated what it could not remove; and in the case of Louisiana, it submitted to circumstances equally uncontrollable. But, (and I say it with pride and with pleasure), it never yet has conferred a power to establish the condition of slavery, and I warn those who are entrusted with its administration to beware how they claim for it the exertion of a capacity so odious.

But we are told that every thing is implied in the use of the word "state"—that the constitution when it speaks of the admission of new "states" into the union, necessarily means that they should possess certain faculties and powers, of which it is also contended, that the precise definition is to be found in the faculties and powers possessed by the original states—I admit, unhesitatingly, that there are rights so inherent and essential, and, if you please, inalienable, that a state cannot surrender them, nor exist as a member of this union without them. But, is it essential, by the principles of our constitution, to the character of a member of this union, (a newly admitted member, especially), that it should possess all the powers, or even all the rights, that belonged to the original states? It must then be the sovereign of all the territory within its limits, which has never been the case, in a single instance, of a state newly formed out of the territory of the United States. It cannot be the case, for, by the practice of the government, the admission is made to depend upon the number of inhabitants, and not upon the appropriation of the land. The unappropriated lands belong to the United States. Even its limits are settled by congress. It must, too, have an unlimited right of taxation—and it must have an independent and absolute power, extending to every thing within its limits—for all these powers belonged to the original states. Then, sir, not a single new state, (excepting Vermont), has been properly admitted into the union, and the practice of the government, from its first foundation, has been one tissue of error and usurpation.

In every instance, some restriction or curtailment of legislative authority, more or less extensive, has been imposed and assented to, with universal approbation. In the case of Kentucky, as we have seen, Virginia stipulated, among other things, that, for a limited time, the lands of non-residents should not be taxed higher than those of residents, and that the lands of non-residents, residing in Virginia, should never be taxed higher than those of residents. This is a palpable restraint upon the exercise of a legislative authority, which every one of the existing states possesses without restriction, and yet it never has been supposed to place Kentucky in a condition of inferiority to her sister states. I will not tire the patience of the committee, by going through the other instances, which have been already very fully brought into view. Enough has been said to show, that it has never been thought requisite, that a new state should possess the same identical powers which confessedly belonged to the

original states, and that such identity is not necessary to a perfect political equality.

To come nearer to the question, I beg leave to ask, is it essential, by the principles of our constitution, to the character of a state, that it should have the power of originating, establishing, or perpetuating the condition of slavery within its limits?

I request gentlemen to pause before they answer this question, and to look it fairly in the face, for it must be met! Is it essential to the character of a free republican state, that it should have the power of originating, establishing, or perpetuating a system of slavery—so essential, that it is not a free republican state without the power, nor qualified to be a member of this confederacy?

Can it be possible, that a constitution framed to secure, to preserve and to extend the blessings of liberty, itself rests upon a principal so impolitic and so indefensible as this? I should very much fear, that we should never expect the favor of heaven nor the approbation of men for a constitution so constructed—whose professions were so entirely at variance with its principles. Can it be pretended, will any one be hardy enough to assert, that this power belongs to the rights of self government, or of a just sovereignty, or that it is to be arranged in the same class with the authority exercised by every well constituted society, in regulating the domestic relations? Where slavery exists, it may be, (as was said by a gentleman from Virginia,) that slaves were regarded as in a state of perpetual minority. It might with equal propriety be said, at once, that they are regarded as in a state of perpetual subjection—it amounts to the same thing: for surely no man will seriously affirm, that this decree of perpetual minority has its source in the same feelings and views, which in all civilized nations, have led to the enactment of laws for the protection of infancy against its own folly and imprudence. The one originates in parental affection, anxiously providing for the welfare of its offspring, during the period when, by nature, the judgment is weak and the passions strong; and every incapacity which the laws have established, is meant as a shield for infancy against danger to itself. The other—has it any view to the comfort or well-being of this perpetual minor? I will not pursue the enquiry, lest I should wound the feelings of some who hear me, and whom I would not willingly offend. Where slavery exists, you may call it what you please—you have a perfect right to do so, and to regulate it by such laws as you deem best—but in a discussion like the present, it seems to me an utter perversion of language to style it a minority, as it would be an utter perversion of sentiment to suppose, that it has any resemblance to the endearing relation out of which the laws for the government of infancy have grown.

How is this power essential to the character of a free republican state? Suppose this evil were now happily extirpated, is there any moral or political competency under the constitution to restore it among us? Has any one ever seriously contended for such a power? No: it certainly could not be re-established, without the consent of congress, and yet, I think it will scarcely be asserted, that the states would not still possess all the essential powers of self-government, and a just sovereignty, that they would not be as free, as independent, as happy, and at least as powerful as they now are.

Upon what footing, then, do the original states stand in this respect? Did the constitution either give or reserve to them the right of originating or establishing a state of slavery? Have they now, or

have they ever had such a right? Is there a right in any of them to reduce a free man to a state of slavery, except as a punishment for crimes of which he has been legally convicted, and not extending to his offspring? The great principles of the constitution are all at variance with such a doctrine. It is plain enough how the convention considered the matter, and how it was considered by the states, individually and collectively. They regarded it then, as they regard it now, as an unfortunately existing evil, of which it was impossible to rid themselves, and which, therefore, they must manage in the manner most conducive to their safety: an accidental and deplorable state of things, not to be terminated by any means which human wisdom was then able to devise. It was upon this footing, that what is called the compromise took place—it was a compromise with an *afflicting necessity*, and mark well the manner of it! It was a *silent compact* between the existing states, upon a subject which they all felt was beyond their power to deal with. That *silence*—that most emphatic and impressive silence of the constitution, is the sure indication of the feelings which prevailed in the convention. What could they say? They would not utter the word slave or slavery, and whenever they found occasion to make any provision on the subject, they had recourse to other language, as if the very terms were hateful and offensive, and unfit to be employed in that instrument. What could they do? They could only indulge a hope, that a time would come when this evil might be eradicated, and in the mean time they bore their testimony against it by that expressive silence, of which no one could mistake or misunderstand the meaning.

That compact, not of words, but of silence, had the precise effect, while it avoided a recognition of the legitimate origin of the evil, of leaving every one of the then existing states in possession of the power which it actually exercised, except so far as it was parted with to the union. The ambiguity in the constitution, if any there be, arises altogether from this well meant mode of treating the subject. What the framers of that instrument intended should signify their detestation of slavery, has furnished an argument in favor of its extension. For, as silence left the existing states in possession of the power, so silence is interpreted, in the admission of new states, to confer the power; and this rule of construction throws upon congress the necessity of an active exertion of authority for its restraint, for which gentlemen insist we must show a positive grant. But with respect to the existing states, it was a power paramount to the constitution itself, and which no state surrendered; a power, however, and a necessity, too, confined to her own limits.

Can this be affirmed with truth of any state newly admitted into the union? Can it be said to stand upon the same footing as the original states, either as to paramount power, and existing condition, or the case of necessity? Up to the moment of admission, it is subject entirely and exclusively to the government of congress, as a part of the territory of the union. It presents itself to congress, as a territory, asking to become a state, but bringing with it no state rights—no state powers—nothing to be reserved, but every thing to be received. It presents itself free from the condition of slavery, or subject to it in so slight a degree as to be easily manageable, and affording no just ground for its continuance. Unless, therefore, it can be shown, that it is so essential to the completion of a free republican state of this union, to have the power

of originating or perpetuating slavery, that it cannot be free and republican without it, the argument must fail altogether. Besides, sir, how can the rights of the new states be affected;—it has the choice of coming in upon the terms, or not coming in at all.

I am aware, it may be said, that the compact between the existing states, ought to be considered as a mutual stipulation with each other, that new states should, in this respect, be left free to choose for themselves. It is no where said so, and to me it seems worse than idle to suppose, that there is a dormant abstract principle in the constitution, in favor of slavery, to spring up only as a barrier against what is, and always has been, conceded to be right and just. Show me the value of it, in practice, and I am then prepared to listen to the deduction; but, as long as the argument terminates only in evil, or, which is the same thing, in preventing a good, so long exactly it is impossible for it to find its way to the hearts or the understandings of men. When, not long ago, it was affirmed in this house, that the constitution gave to congress a power to make certain public improvements—to open the channels for wealth and trade to flow from one quarter of the country to another—to approximate them to each other, to connect them by the ties of interest and mutual dependence and mutual regard, I listened with attention and pleasure, for I expected to find a power so beneficent. So, sir, if I am told that there is a power in the constitution to arrest the march of slavery, to extend the sphere of freedom, personal as well as political, that, too, I expect to find. But, when I am told, that there is a silent, dormant principle in the constitution—a sullen power that forbids us to check the extension of slavery, I confess to you that I involuntarily shrink from the process of reasoning by which it is deduced, and revolt involuntarily from the conclusion. If it be apparent, I must and will submit to it; but if it be not clear, I am not disposed to search for it, either among the high attributes of sovereign power, or the more frequent refuge of state rights.

But, I admit that this assertion is true, as to every rightful and essential power, which belongs inseparably to republican self-government, or is necessary to place a state upon an equal political footing with her sister states, and render her worthy to be a member of the confederacy. As to the rights of self-government, I have nothing more to say. It only remains to enquire, whether the proposed restriction disturbs or interferes with any of the great political rights of the state, or is calculated to lessen her weight and influence in the scale of the union? The great and important rights of every state, is that which regards her representation in the national councils. Is that impaired by the restriction? The compromise of the constitution, in the article of representation, was founded upon a simple, and now well established principle, applied to preserve the balance of the existing states. It was not, that property was to be represented—for, then every kind of property ought to have been estimated in fixing the ratio—but that this particular kind of property, occupied the place and consumed the food of a free population, and to that extent lessened the comparative numbers of the state, not for a time only, but forever. If the free population had furnished the ratio, how many representatives would Virginia now have? To preserve the balance of the states, then and thereafter, the rule of three-fifths was adopted, and with this rule, the constitution considers that there is a fair political equality

between the free states and the slave states. Can it be said, that the political rights of the state are in this leading and all-important point impaired by the restriction? In point of fact, her influence and power are increased, for the free population will increase more rapidly than the slave population, and she is entitled to a representation for the whole number, instead of being limited, as to a part, to three-fifths. Whoever will take the trouble to examine the comparative increase of the two descriptions of states, will be satisfied of this, and I have no desire to obtain for the free states the advantage hinted at by a member, who has opposed the amendment, of infusing into the states to be formed, a debilitating disease, which will stint their growth, and lessen their political weight in the union. The political right of a state, secured by the constitution, is, if there are slaves, to apply to them the rule of three-fifths, and that right, I admit, cannot be infringed. But it is not necessary to the enjoyment of the full benefit of the principle of representation, not fairly to be deduced from it as a part of the compromise, that a new state should be permitted to have slaves.

I may be allowed again to ask, what are the political rights of a state in regard to the union? They are the political rights of the free inhabitants, the only condition known to the constitution. *Slaves have no political rights. They are acquired by force, and they are held by force;* and if it be lawful to hold them at all, it is also lawful to use any degree of force that is necessary to hold them in quiet subjection. Every law of a slave-holding state, which provides particularly for this condition of men, by peculiar exertions of authority, by an unusual discipline, or by unusual terrors and punishments, having no view to their own benefit, but only to the safety of their masters, is an exertion of force, necessary (where the condition exists) for the security of society, not to be mentioned reproachfully, much less to be interfered with, but still a mere exertion of force demonstrating that slaves have no political rights. They add nothing to the mass of rights. I would not be understood to question the power of the states where this condition exists. Whether it is a power reserved, or a power acquired, it is, as to them, recognized by the constitution, and entitled to the support and protection of the whole strength of the union. We may have our wishes and our feelings on the subject—it is for them alone to decide how long this state of things shall continue. If ever the time should come, when they shall be able and willing to rid themselves of the evil, it will be hailed with unaffected delight. Till then, while this constitution endures, we have no right to ascend beyond its provisions, and we are bound to carry them fully into effect. The state which I have the honor to represent, has been as ardent and sincere in the cause of emancipation as any state in this union; but she has never lost sight of her obligations to her sister states. Her laws and her judicial decisions, will be found to be in strict conformity with the constitution, and so they will continue to be.

If the members of the convention meant to frame a compact between the states, to the effect which has been mentioned, that is to say, that every new state should, in this respect, be left entirely free, we might reasonably expect to find it somewhere in the constitution. It could not have been forgotten or overlooked—it was a subject in itself of too much interest and importance. And, besides, the

ordinance of 1787, was adopted while the convention was sitting that framed the constitution, and that ordinance provided for the admission of states, with a perpetual inhibition of slavery. Under the confederation, it had been assumed as a power belonging to congress, and exercised as a power fit to be exercised by congress. It is incredible, that the constitution should have designed to disaffirm all this, and yet have said nothing about it, but conferred without limitation the very power to which it had become an established incident.

Can any good reason be assigned why the existing states should have entered into such a compact? It was not necessary to the compromise, which regarded only the actual condition of the states, and which meant to preserve to each of them, nothing more than the power within its limits. The constitution was not formed for a day or a year, but for a succession of time—I hope for ages; and it might easily have been foreseen, that cases would probably occur, in which the exercise of such a power by the government would be of the utmost importance. Suppose the case of a distant or a frontier state applying for admission. If you permit her to have this kind of population, you are bound by the constitution to protect her with all the means of the union, against the insurrection of the enemy within her bosom, and against the inroads of any foreign nation. You are bound, even to secure to her the enjoyment of this very property, and if a neighboring power should, by force or seduction, carry off her slaves, it would become a cause of national quarrel and of war. Our own recent history gives us an example of something of this sort. What was the Seminole war? The runaway slaves of Georgia, combining with outlaws and Indians in Florida, carried on hostilities upon the borders of Georgia, and that state, (as she had a right to do), called upon the United States for protection. It was granted, and hence the Seminole war. If a new state, circumstanced as I have supposed, should apply for admission into the union, would it not be reasonable, nay, would it not be essentially just and necessary, to require her first to stipulate, that she would not introduce that source of weakness and that cause of quarrel, which might be so expensive and burthensome to the union? It ought not to be a concern of the state alone, because it may become a charge to the nation.

I think I may safely affirm that this is the practical, established construction of the constitution, used and approved from its adoption to the present day. But permit me for a moment to examine the spirit of that instrument. If, as is clearly shown, the toleration of slavery by the constitution, and the corresponding provisions, were owing to an incidental, existing and uncontrollable necessity, then it is plainly the spirit of the compact, that the power should never be permitted to a new state, but where the same imperious circumstances exist to demand it, as in the case of the original states. Such was the fact in the instance of Louisiana. What, then, is it, that congress are to do upon such an occasion? To impose conditions, arbitrarily? No. To judge of the circumstances, regarding in due proportion the interests of the state and the union. If that deplorable necessity exist, they permit in silence, what, (like the framers of the constitution), they will not in terms avow. If not, they adjudicate by the restriction, which it is then their moral and constitutional duty to impose.

(To be concluded in Supplement.)

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(*Mr. Sergeant's speech—concluded.*)

This is the true, it is the necessary, and only just construction of the constitution—the only one that is consistent either with the professions we have been in the habit of making, or with the hope that was certainly once very much cherished, that a mode might some day be devised of abolishing this great evil. We may assert as we will, that we are not in favor of slavery; as long as it shall be seriously insisted that, by the constitution of our country, every new state has the inherent and inalienable right of establishing domestic servitude, so long our assertions will be disbelieved, and we ourselves, as well as that venerated instrument, be charged with hypocrisy. Suppose, sir, that the existing states were in a course of abolition, would it be permitted to a new state, governed by some selfish or ill-judged views of interest, to revive the condition of slavery, and thus to control and defeat the policy of all the others? Ought it to be in the power of any new state, to enlarge the region of slavery, and thus to increase the difficulties, already sufficiently great, presented by this very difficult and embarrassing subject? Can it be, that we sincerely believe it to be an evil, and yet will gravely insist that it is a right of every new state to—do what? I was going to say, enjoy this evil; but that would be a perversion of terms—afflict and injure herself, and her associates too, by admitting it within her limits? If it be a good, the argument is intelligible: If it be even doubtful, there is still some scope for choice; but if it be an acknowledged evil, it seems to me extravagant, if not absurd, to contend that there is a right to have it, and that a prohibition restrains or impairs the just liberty of a new state.

This construction, too, is plainly indicated by at least one provision of the constitution, I mean the 9th section of the 1st article. "The migration or importation of such persons as any of the states *now existing* shall think proper to admit, shall not be prohibited by congress prior to the year 1808." Why is this restraint upon the power of congress, confined to the states "*now existing*?" It was to give to congress the power, immediately, to prevent the introduction of slavery into the states to be formed. I do not doubt that it had a particular reference to the ordinance of 1787, and was meant to guard against the inference, that congress had not the authority to complete the work the ordinance had begun. For, if the restraint had been general, comprehending the states to be formed, as well as those existing, congress could not within the twenty years have prohibited the "migration or importation" of slaves into the states to be admitted into the North West territory; and then, one of two consequences must have followed, either congress would have refused to admit the states within the twenty years, which would not have been consistent with the engagements entered into, or they must have admitted them with the power of receiving slaves, which would have been contrary to the provisions of the ordinance: It is therefore, I say, that this section of the constitution had a plain reference to the ordinance; and while it evinces in the clearest manner, a constitutional distinction between the existing states, and states to be ad-

mitted, upon the very subject now in question, and plainly intimates a design to give a control to congress over the introduction of slavery into states to be formed; it also seems to me to afford a constitutional sanction to the ordinance itself.

The view which I have thus, I fear at too great expense of time and patience to the committee, endeavored to present, is, to my mind, so conclusive, that I should hope it would be unnecessary to detain them longer. But, there has been all along an assumption, by those who are opposed to the amendment, which I think extremely questionable, if it be not wholly unfounded. It is assumed, that the condition proposed by the amendment, will produce an inequality between the state to be admitted and the existing states. It is not material, (the inequality being of no consequence), but I mistake if I may not safely deny that it will occasion any inequality at all. Sir, has any state in this union a constitutional capacity to originate or establish a state of slavery? To be more precise—If a state, (Pennsylvania, for example), has once abolished slavery, has it a power, without the consent, and against the will of congress, to restore that condition? This is an interesting, but I think it is not a difficult question, and certainly it is not a dangerous one to discuss. No state that has once abolished slavery, will I believe, ever desire to restore it. And here, sir, I invoke to my aid the great principles of the constitution, and the great truths of the declaration of independence. I invoke, too, the principle of the compromise, founded as it was upon an existing state of things, and recognizing no rights but what necessity conferred.

The reduction of a fellow creature to slavery, to a state where nothing is his own but his sorrows and his sufferings, is, if you please, an act of sovereign power, that is, of sovereign force, which obeys no law but its own will, and knows no limits but the measure of its strength. If these states were sovereign, they too, like other sovereigns, might exert a lawless power. It would, nevertheless, be morally wrong. But they are sovereignties, qualified by the grants of power to the union, and by the great political principles upon which all our institutions repose. The sanction of these principles is now added to the force of moral obligation; and the beautiful feature of our government, that which entitles it to the respect of strangers, and to our affection—that which distinguishes it from all the governments that have ever existed, is to be found in this single truth. Such is its structure, that it can do no lawless violence; and whenever we speak of sovereignty, we mean a rightful moral sovereignty, and not a power to do whatever it has strength to accomplish.

Whence, then, can a state derive such a right, I mean a right to originate or re-establish slavery? It cannot, by force, reduce freemen to the condition of slaves. This no one would undertake to maintain. It cannot draw them from abroad, for congress have the unquestionable power to prohibit importation. Can it receive them from other states of this union? The supposition imputes to the constitution the greatest weakness, and is wholly inconsistent with the hope entertained by the great men who framed it, that this evil might some day

be abolished. I think this channel is stopped, as it ought to be, by the power of congress to prevent importation and *migration*. Importation, we all understand to include slaves brought in from abroad, from any foreign territory, whether by land or by water; and we all agree, that it is sufficient to comprehend in its interdiction, every bringing in of slaves from abroad. The term "*migration*" is applied to the same description of "persons," and upon the plainest principles of construction must be understood to apply to something different from "importation." When can it apply to, but the passage or transfer of slaves from one state or territory to another? An argument urged by the member who last addressed the committee, (Mr. Clay), I mean the argument derived from that part of the constitution which denies to congress the power of imposing a duty upon exports from any of the states, strongly supports this interpretation. The two clauses, taken together, (and they are in the same section), amount to this: you shall not prohibit the "importation" until after the year 1808, but in the mean time, you may impose a tax or duty upon "such importation," not exceeding ten dollars for each person: you shall not, during the same period, prohibit "*migration*;" but can you impose a duty or tax? No. The authority to impose a duty or tax is dropped; and why? Because migration, meaning, (as we insist), a transfer from state to state, includes, in every instance, the exportation from a state, and therefore, by the fifth clause of the same section, no "duty or tax" can be laid upon it.

Various interpretations of this clause of the constitution have been attempted by those who are opposed to the amendment, but none of them, I think, consistent with the fair import of the terms, or the manifest spirit of the constitution. One gentleman, indeed, (Mr. Smith, of Maryland), has said, some days ago, that it was intended to give to congress the power to prevent the passage from one state into another of slaves imported into the former from abroad. His long experience and knowledge entitle the suggestion to great consideration, and it appears to me to concede the precise construction contended for. He admits that the clause applies to *slaves*, and the term "*migration*" to slaves transferred from one state to another. Now, as there is no description of the kind of slaves, which limits it to slaves imported, it must apply to all slaves. I will not insist upon the advantage of this concession; the case is fully made out without it.

But we are told by the gentleman from Delaware, that the technical meaning of the word migration, is a change of residence from one country to another. I must be permitted to say, that I am not aware that the word in question has ever received a technical meaning. We call those words technical which have been appropriated to the service of an art or science, and in relation to that art or science have received a definite and somewhat artificial sense, well understood by those who are acquainted with the subject. Thus, when we speak of an "estate tail," or "a contingent remainder," the language is perfectly intelligible to a lawyer. The term, *migration*, has never, to my knowledge, been so appropriated, unless it may be considered as having been adopted by naturalists as descriptive of the habits of certain animals, and then it means simply a change of climate, for the sake of temperature, or a change of place for the sake of food; but not a change of country. In its vulgar sense, that is, its common sense, as given to us in dictionaries, as used in conversation, or by approved writers, it means only a change of place. In two

pages of Dr. Seybert's Statistical Annals, (37, 38), the word is three times used to denote the change or transfer of residence from one state to another; and, it may be remarked in passing, is accompanied with a reflection which well deserves the attention of those who insist so strenuously upon the free admission of Missouri, in order that the owners of slaves may be enabled to go into that state. "It is important to consider how far the diffusion of our population may weaken us as a nation, and what will be the effect of the *migrations* on the agriculture of the Atlantic states?" Many valuable farms, originally productive, have been abandoned, after they were exhausted and made barren from constant cultivation, and no application of the means to restore their lost fertility. If *migration* be continued under these circumstances, some districts will hereafter exhibit all the features and poverty of a desert, and extensive tracts of valuable land will be a waste, to the injury of our agriculture, manufactures and commerce. In many of these situations, industry would be abundantly rewarded for all the labor and expense of renovating the unmanaged and impoverished soil." I am reminded by some one near me, of another difficulty supposed to be in the way of our construction, and that is, that migration means a *voluntary* change of place, and that the removal of a slave is without his own consent. Even if this were correct, it would amount to nothing. The will of a slave is always the will of his master; and his acts, wherever they are in obedience to his master's orders, are, by the constitution and laws, deemed to be voluntary. What other term could have been employed? We are to remember, that though the slave is regarded as property, yet is he also regarded as a "person,"—a human being, having a will, but that will ever in coincidence with the wishes of his master; and it is from this anomalous composition of character, that the constitution itself had great difficulty in finding terms applicable to his condition or conduct.

We have been told, too, (for the attempts have been numerous to avoid the force of this clause), that it applies to freemen coming from abroad. It would be very extraordinary, indeed, if the same word, in the same sentence, were to be interpreted to include two descriptions so opposite as freemen and slaves. But all this is minute verbal criticism, and I fear I shall fatigue the committee by dwelling upon it. There is a much broader, and still more satisfactory answer to the objection. The clause in question has always been understood to apply to slaves, and to slaves only, from the adoption of the constitution to the present time. It is, (and that is entirely conclusive), a restraint upon the power of congress, insisted upon by the slave-holding states, to secure, for a limited time, the right of supplying themselves with slaves. This is familiarly known to every person who has any acquaintance with the history of the constitution, and it is known, also, that two of the states, (South Carolina and Georgia), would not have come into the union without it. How any one, knowing these things, can gravely assert that the clause has any provision relating to freemen, it is entirely impossible for me to conceive. It imputes either mistake or foolish design to the framers of that instrument; for no good reason can possibly be assigned for withholding from congress, during the twenty years, any power it possessed, over the admission of freemen, though we know well the reason, (good or bad), for restraining the power as it respected slaves. I need not notice the observation of the member

From Delaware, that this, being a federal power, must be understood as applying in its exercise to the union, and not the states. Every power, to be exercised by congress, is a federal power, but it does not follow that it is not to operate upon the states. This, in particular, by its very terms, is to apply to the states individually. But I hasten to another objection, which has been very seriously urged, and, if well founded, renders all this examination superfluous. We are informed that the clause in question is not a grant of power, it is only a restriction or restraint upon power. To speak with perfect precision, it is an exception or restraint, for a limited time, upon the exercise of a power. Such an exception, it is most clear, is conclusive evidence of a grant; for if there were no power granted, there could be no exception from, or restraint upon its exercise. It is of itself equivalent to a grant of the power, after the expiration of the time. A rule of this house directs, that strangers shall not be admitted during the time it is in session. Would any one doubt that this gives permission to strangers to enter at other times?

If this interpretation, however, (contrary as it is to the plain design of the constitution), were correct, still there would be no difficulty. It follows immediately after the enumeration of the powers granted to congress, and among them we shall certainly find that which was intended for a time to be restrained, unless we suppose the framers of the constitution to have misunderstood, most grossly, their own work. If there be some ambiguity in the language, it arises from the remarkable reserve of the convention, upon a subject which they did not choose to call by its proper name, and that ambiguity ought to be favorably expounded. Congress, then, have a power "to provide for the common defence and general welfare," and for that purpose they have a specific power to "regulate commerce with foreign nations, among the states, and with the Indian tribes." *Slaves* are every where articles of trade, the subjects of traffic and commerce, bought and sold, from plate to place, and from hand to hand, by public sale or by private sale, as suits the convenience or interest of the owner, and are in all respects treated as property. The general power to regulate commerce, includes in it, of course, a power to regulate this kind of commerce. With respect to slaves imported from abroad, this has not been disputed, and cannot be disputed—while it continued, it was a branch of the trade with foreign nations. The power to regulate commerce "among the states" is given in the same clause and exactly in the same terms as the power to "regulate commerce with foreign nations." If the latter authorized congress to prohibit the importation of slaves from abroad, (which has never been even questioned), how can it be doubted that the former gives them authority, when in their opinion the "general welfare" or the "common defence" requires it, to prohibit the transportation from state to state? If one comprehends slaves, so does the other, and if this conclusion had never been carried into practical effect, it would only prove that no case had occurred in which congress thought it expedient to exert the power. But, this construction is obviously necessary to the plain design of the constitution, not only to the large and liberal views with respect to the whole subject of slavery, of which I will speak hereafter, but the particular design manifested in the very clause now in question. It is conceded that congress might at all times prohibit the *importation* of slaves from abroad into the territories of the United States, as

well as into states formed after the constitution, the restriction until the year 1808, being confined to the states then existing. Of what avail was this power, (however derived), unless they could also prevent importation through other states, or rather the passage of newly imported slaves from the old states into new states or territories? Sir, this construction, in itself so reasonable, has actually been adopted in practice. By the act of 1804, for dividing Louisiana into two territories, and making provision for the government of the southern portion, it is enacted that no slave shall be imported from abroad, and none shall be brought *from any port or place within the limits of the United States that have been imported since the first day of May, 1798—or shall hereafter be imported.* It is no answer to this to say, that the slaves of a man migrating from one state to another, are not carried thither for the purpose of commerce or trade, but are a part of what has been called "his family." The power to regulate commerce, extends to every thing which is the subject of traffic, and is limited only by the nature of the article, not by the intention or views of the owner; or else, every law for the regulation of trade would become ineffectual—slaves may be carried for the purpose of selling, and even when this is not the original intention, they may nevertheless be sold, and a man, after disposing of all his "family," may return and buy another family, and afterwards sell it. They are articles of traffic, and that is enough—neither is it any answer to say, that the power in question is a power to be exercised by legislation, and not in the form of a condition to be prescribed to a particular state. If it exist at all, of which I hope there is now no doubt, we arrive, after this, I fear, very tedious investigation, at a result decisive of the present controversy. For if the exposition given be correct, it will follow, that no state in the union, having once abolished slavery, can re-establish it without the consent of congress; and that it is no disparagement of the rights of a new state to lay it under the same prohibition. There is then a precise and perfect equality.

But, notwithstanding any supposed ambiguity in the constitution, arising from the cause I have adverted to, there are great leading points in that instrument, which were intended to stand out upon occasions like the present, as guides and marks to direct our steps, and it is a relief to our selves, as well as a debt of justice to those who framed the constitution, to keep them constantly in view.—We can see there, plainly asserted, the political and personal equality of men—a deep and humiliating sense of the evil of slavery—a hope that it might at some time be abolished, and a determination as soon as possible to abolish it. From the date of the constitution to the present moment, these have been the governing principles of this nation's conduct, and the present is the *first* effort to arrest a career urged equally by policy and humanity. If Missouri be permitted to establish slavery, we shall bring upon ourselves the charge of hypocrisy and insincerity, and upon the constitution a deep stain, which must impair its lustre, and weaken its title to the public esteem. It is to no purpose to say, that the question of slavery is a question of state concern. It affects the union in its interests, its resources, and character, permanently—perhaps forever. One single state, to gratify the desire of a moment, may do what all the union cannot undo—may produce an everlasting evil, shame and reproach.—And why? Because it is a state right. Sir, you may turn this matter as you will; Missouri when she

becomes a state, grows out of the constitution, she is formed under the care of congress, and admitted by congress; and if she has a right to establish slavery, it is a right derived directly from the constitution, and conferred upon her through the instrumentality of congress. We cannot escape from our share of the blame, and, (which is infinitely worse,) we cannot rescue the constitution from the opprobrium which belongs to such a deed. That refined construction which makes the constitution a silent and acquiescing accessory, looking with undisturbed complacency upon what it professes to hold in detestation, may answer the purpose of argument here, but it can avail nowhere else. The judgment of mankind is not formed upon artificial distinctions like this. As surely as the tree is judged by its fruit, will the constitution be judged by what it produces. I earnestly beseech gentlemen, then, to save the constitution from a stain which has never yet been fixed upon it, and with this entreaty, under the deepest and most sincere feeling, I leave it in their hands.

2. Upon the subject of the treaty of cession, I will detain the committee but a very short time.—It has always appeared to me to be a proof of the weakness of the argument against the amendment, that it was obliged to resort for support to this topic, because it supposes that the inhabitants of the territory of Missouri have higher rights and privileges than the citizens of any territory within the original limits of the United States. One gentleman says, indeed, that Missouri derives her right from Heaven. If so, there is an end to all question about the constitution or the treaty, though it might be extremely difficult for some of us to understand, how from such a source could be derived a lawful power to establish slavery.

If we are bound by treaty stipulations, it will be admitted that they must be fulfilled. The public faith is to be preserved inviolate, at every hazard of consequences. But, before we admit a construction so dangerous as that contended for, let us examine carefully the extent of our obligations.

There are none, I suppose it will be conceded, who can call the treaty to their aid, but those who were inhabitants of the ceded territory, and subjects of the ceding power, at the time of the cession. In terms, the article in question applies only to them. Suppose it had all been vacant territory at the time of the session, and since peopled by citizens of the United States. Would it have been seriously asserted, that they acquired any new or higher privileges or rights, by migrating to Louisiana? As to the original inhabitants themselves, it is a question not of legislative, but of judicial cognizance, for a treaty is the supreme law of the land. The condition, however, such as it is, is not annexed to the territory; it is a stipulation in favor of the free inhabitants, and as to them, it has no application, after they have become incorporated into the union, and are made citizens of the United States—they then become subject to the legislation of congress.—The distinction between the territory and the inhabitants is so obvious as to be perceived at a single glance. The one is simply ceded, transferred in sovereignty, which places it exactly upon the same footing as any other territory of the United States, without any condition. The other, that is, the free inhabitants, are also transferred, but with a stipulation entirely personal, that *they* shall, as soon as possible, "be incorporated into the union, and admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States," and "in the mean time they shall be maintained and

protected in the free enjoyment of their liberty, property, and the religion which they profess."

How it was intended to make them citizens, I do not pretend to know. Certainly, a treaty cannot confer the privileges of citizenship: that can only be done by the operation of an uniform naturalization law; and while it is acknowledged, that the treaty making power may rightfully bind us to do every thing which is within the constitutional competency of any department of the government, it can never be allowed to go further, for then it would transcend the constitution itself. By what means these free inhabitants were to be made citizens, or at what time, are questions I need not now attempt to answer. There is some difficulty in them, undoubtedly. This difficulty it was—or rather the impossibility of bringing the inhabitants into the union, by any process unknown to the ordinary legislation, that occasioned, in the first place, the qualification of the engagement "as soon as possible," which may be fairly interpreted to mean "as soon as our constitution would permit;" and, in the next place, the stipulation, that until they should become citizens, they should be maintained and protected in the enjoyment of their liberty, property and religion. From the moment they are incorporated, (this is the precise import of the treaty,) they are to be upon the same footing with all other citizens of the United States. Till then, they are aliens, but are not to be prejudiced by their alienage.

Did we mean to permit any foreign power to intermeddle with our internal concerns? The sanction of treaties is in the ability of those who make them, to enforce the observance of the stipulations they contain. Were our negotiators so unwise—were the president and senate so forgetful of their duty, as to make and ratify a treaty by which our own citizens were enabled to appeal from this government to a foreign power, and call in its interference by war, if necessary, to settle their rights? Such a supposition is entirely inadmissible. This article was probably proposed by our own negotiators—if it was, it was a most unequivocal tribute, from the other high contracting party, of respect for our constitution and laws, for it admits, that no further security was necessary for the protection of their ceded subjects. But, did it mean to give to the free inhabitants of Louisiana any peculiar rights of property, higher or greater than those enjoyed by other citizens, after they should become citizens of the United States? It was beyond the treaty making power to grant or to contract to that extent.—Will it be admitted, that it was necessary for the security of the citizen, that to the constitution should be superadded the obligations of a treaty, and that to the principles of our government must be joined the right of calling in a foreign power? Why, sir, I have heard it said in this debate, that the treaty, not only gives rights to those who inhabited the territory, but also to our own citizens who have migrated thither since the cession. The doctrine thus asserted, appears even more objectionable than that I have alluded to; but it is only worse in appearance, for in both cases it supposes an appeal to a foreign power, from our own citizens, against the government.

What are the "rights, advantages and privileges," of a citizen of the United States, which are guaranteed to the inhabitants of Louisiana? They are the same throughout the United States: They are, therefore, independent of local rights, or those which depend upon a residence in a particular place.

An inhabitant of a state, has certain privileges arising from his inhabitation of the state. An inhabitant of a territory, too, has certain privileges, which arise from his living in a territory; a citizen of the United States, who resides neither in a state or territory, but is out of the limits of the union, enjoys neither the privileges of a state or a territory; but he possesses the rights, privileges and immunities of a citizen of the United States, which are common to all the three descriptions of persons. When an inhabitant of Louisiana is made a citizen of the United States, he becomes entitled to the "rights, advantages and immunities," of a citizen. He carries them with him wherever he goes—if he is in a state, he may add to them state privileges—if he is in a territory, he may enjoy the rights of an inhabitant of a territory—in either, or beyond the limits of both, he is still a citizen of the United States, and upon an equal footing with any other citizen.

It has been argued indeed, that they are to be incorporated into the union, and that this cannot be done without forming them into a state or states.—Should we admit this argument to its full extent, it would leave us exactly where it found us, for as they are to be incorporated (by the express terms of the treaty) "according to the principles of the federal constitution," we should still be obliged to return to the constitution, to enquire upon what terms states are to be admitted. And certainly, the plain answer would be, that they are to be admitted upon the same terms as other territories of the United States. But the fallacy of the argument lies, in applying to the territory (which was ceded in full sovereignty) what was intended only for the inhabitants. Nothing more is necessary, to enable us to detect the fallacy, than to trace it to some of its consequences. What right, upon the construction contended for, had we to postpone the admission for a single day? Why, gentlemen will say, the territory had not the requisite number of inhabitants. But, no number of inhabitants is necessary, except by the practice under the constitution, and that same practice gives us certain other powers which need not now be mentioned, including the very one in question. Again, sir—according to this hypothesis—what authority had we to divide this great territory; why not admit it all as one state? They will say it was too large for a single state. True; but the constitution has not ascertained the size of a state, nor has it even been settled in practice, for we have states of all sizes, from 70,500 square miles, (Virginia) to 1,548 square miles, (Rhode Island.) The truth is, and it is vain to attempt to disguise it, that the common understanding of all parties has long ago fixed the interpretation of the treaty upon a footing not now to be disturbed. This territory, like every other territory of the United States, is subject to the power of the government, to be opened for sale; to be settled, divided and subdivided, and regulated, according to its policy, and finally be formed into states, and admitted when it may be deemed expedient.

While I am upon this subject of the treaty, I wish to examine it with a different view, and at the same time to show the enormous extent of the doctrine contended for, which will, I think, afford a strong argument in favor of the right of congress to impose the restriction. Whence did the treaty making power derive its authority to purchase lands, and freemen, and slaves? From any express words of the constitution? No. It must then be implied, and implied from what? Either from the possession of sovereign authority, to which it is an incident—or, from the broad terms of the grant,

which is to make treaties upon the ground that treaties may stipulate for a purchase of territory. It is then a sort of implied power. And what is next implied? That the territory thus acquired is to be upon a different footing from any other territory of the United States: And that congress must form states of it, and must admit them. There, sir, the implication all at once stops short. No conditions are to be imposed; no terms offered; no stipulations entered into, however salutary or even indispensably necessary for the welfare of the union. No—you are not even to require them to have their legislative and judicial proceedings in intelligible language. The whole policy of the nation is to yield to the views and interests of the inhabitants of the territory, who are, notwithstanding, to become an integral part of the union, and have a full voice in your deliberations. What is your treaty making power then? Paramount to all the authorities of the nation; paramount to the constitution itself; paramount even to the people.

Try this principle by any practical test, and see where it will lead us. The United States have no power (it is contended) to prevent or limit slavery, and they have no power to stop migration. You have purchased a territory, nearly equal in extent to all the original states. A single plantation may inoculate the whole with this odious disease. The 50,000 slaves in Louisiana may blacken the country from the Mississippi to the Pacific. What becomes of the free states then? For every five slaves, there are three votes, and the time may come, when the voice of the slaves, in the councils of the nation, will be louder than that of the freemen. Heaven forbid! for if it should, what will be the condition of those who live in the free states? There is something humiliating in labor—in the labor of getting a living—and it is scarcely to be expected that the master of an hundred slaves should have any feelings in common with him, who earns his bread by his daily work.—What becomes of the compact of the constitution itself, settled, as it was, upon the basis of the existing states, and of the states to be formed out of the north west territory, whose condition, as respects slavery, was irrevocably fixed? The sense of that compact is entirely changed. Its form may remain, but the substance—the life of it, is gone forever. The same principal, too, (for it is indeterminate in its capacity) may be applied to future acquisitions. War or negotiation, conquest or treaty, might bring the island of Cuba within the limits of the union. But, I am satisfied, and I hope the committee are satisfied, that the treaty has nothing to do with the question. I discard it altogether.

I will now, with the leave of the committee, proceed to the remaining branch of this very interesting subject, or what is called the question of expediency.

It is decreed that slavery shall be a very great evil—and (as has been already remarked) one of its incidents is, that where it exists, it can never be fairly or freely discussed. It must be taken up at a certain point, which admits every thing that goes before, and among the rest (in a qualified sense) the lawfulness of its origin and existence. I will not disturb this arrangement, but I must be permitted to say that slavery is a great moral and political evil. If it be not, let it take its course—If it be a good, let it be encouraged. If it be an evil, I am opposed to its further extension. These are plain, simple, clear, intelligible grounds.

Most of those who have opposed the amendment, have agreed with us in characterizing slavery as an evil and a curse, in language stronger than we should perhaps be at liberty to use. One of them only, the member from Kentucky, who last addressed the committee, (Mr. Clay), rather reproves his friends for this unqualified admission. He says, it is a very great evil indeed to the slave; but it is not an evil to the master—and he challenges us to deny that our fellow citizens of the south are as hospitable, as generous, as patriotic, as public spirited, as their brethren of the north or east. Sir, they are all this, and even more.—For some of the virtues enumerated, they are eminently and peculiarly distinguished; and I believe they are deficient in none of them. It has long ago been remarked, that the masters of slaves have the keenest relish for their own liberty, and the proudest sense of their own independence. It is natural, that it should be so—the feeling is quickened by the degrading contrast continually before them. But it seems to me, that the concession with respect to slavery, modified as it is in appearance, is quite as broad as the unlimited admission of every one else who has spoken. It is an evil to the slave; it is an evil founded in wrong, and its injustice is not the less because it is advantageous to some one else. Every injury from the least to the greatest, might find the same sort of mitigation. It is a very great evil to him who suffers, but it is no evil to him who inflicts it. The same gentleman, however, has himself made the most unqualified concessions; for he said he would recommend to the people of Missouri to abolish slavery, and that in his own state he would favor a general emancipation, as soon as it should be practicable, which he surely would not do if it were not an evil.

I beg leave further to say, that I do not consider this as a question of humanity, or a question of policy, or interest, or profit or ease—it is (disguise or argue it as you will) a question of the *extension of slavery*. It is a question, too, not for the present only, but for future ages; and the glorious example of our ancestors admonishes us to make the sacrifice, (if sacrifice it be) as we would have the blessings or curses of posterity. Why should we spread an acknowledged evil? Is there any other moral or physical evil that we should think it wise or expedient to treat in this way? Would you extend the ravages of an infectious disease? Would you cultivate the growth and enlarge the noxious influence of a poisonous weed? Would any father so treat his offspring, even in this very instance? If he were surrounded with slaves, whom he believed to be an injury and a curse to him, would he require his son, at setting out in life, to relieve him, by taking upon himself a part of the odious burden?

Indeed, it is an evil founded in wrong, and originating in our own choice. The extension of it, therefore, is not to be justified but by the most urgent and instant necessity, so evident that every man will at once agree to submit to its imperious dictates. I reject all speculative, or probable, or modified, or remote necessity—that which resolves itself at last, when fairly analyzed, into matter of profit, of convenience or comparative political power. If there be doubt, it is decisive—even though there were considerable weight of probability in favor of the argument, I would decide against it. Has any one seriously considered the scope of this doctrine? It leads directly to the *establishment of slavery throughout the world*. The same reasoning that will justify the extension of slavery into one region or country, will equally justify its extension to another. It leads, too, directly to the *re-establishment of the foreign slave trade*, for it has a tendency to break down that great moral feeling which has been gradually making its way into the world, and to which alone, supported and encouraged, as it has been, by the untiring exertions of humane and benevolent men, we are indebted for the abolition of that detestable traffic, so long the disgrace of Christendom. To look upon slavery with indifference; to witness its extension without emotion; to permit one's self even to calculate its advantages—sir, the next step, and a very short one it is, may be readily imagined. There are parts of this country now, at this very moment, where the laws against the importation of slaves, with all their heavy denunciations, are continually violated. It is notorious that, in spite of the utmost vigilance that can be employed, African negroes are clandestinely brought in and sold as slaves. This could not happen if there were an universal sentiment against the trade; the existence of the illicit traffic to any extent, however small, affords the fullest proof that, in those parts of the union where it continues to be carried on, it meets encouragement from the feelings and the interests of some part of the community. Far be it from me to impute these feelings to any state, or to any considerable part of a state. But the sordid appetite exists, or such inhuman means would not be employed to gratify it.

We are told, however, that it is not *extension*, it is only *diffusion*, that is to be the evil.

I confess that I do not well understand the distinction. The *diffusion of slaves* is an *extension of the system of slavery* with all its odious features, and if it were true (as it certainly is not) that their numbers would not be increased by it, still, it would be at least impolitic. But for what purpose, is this diffusion to be encouraged? To disperse and weaken and dilute the moral and dangerous matter, says one. To be it—the condition of the slaves by spreading them over a large surface, says another. A third tells us that we cannot justly refuse to permit a man to remove with his family. A fourth comes directly to the question of interest, and his reason is, that land in the state of Missouri has been bought by individuals upon the faith of its being a slave state, and if we prohibit slavery there, these lands will fall in value. And in the fear of all these, comes an appeal to the public interest, in the shape of a suggestion, that slavery must be permitted in order to maintain the price of the public lands.

I would ask gentlemen seriously to examine their hearts, and see if they are not deceiving themselves—I am sure they mean not to deceive others. Do they remember the arguments by which the slave trade was so long and so obstinately defended in England? The triumph of humanity there is quite recent, and the

contest is a monument of the zeal and ingenuity that may be enlisted in a cause, which we all agree to have been utterly indefensible, and which no man having a respect for himself, would now have the hardihood to attempt to defend. The arguments then employed, I am sorry to say, have too much resemblance to those which are urged upon this question of expediency. The debates in parliament, the memorials from Bristol and Liverpool, the representations of West India merchants, and ship owners, and owners of West India plantations, were filled with statements of the importance of the traffic to the navigation and trade, and revenue, and colonies, and all the other great interests of the kingdom. Yes, sir, and they undertook to strengthen their argument, by gravely asserting, that the African slave was really rescued from much greater misery, by putting him on board a slave ship, and carrying him in irons (if he happened to survive) to the place destined for his perpetual imprisonment.—These things are familiar to every body, and they are now treated as they deserve to be.

But it is only diffusion that is desired! Is this a reasonable desire? Little more than thirty years have elapsed since the constitution was adopted. Two states of this union (South Carolina and Georgia) then insisted upon reserving, for twenty years, the privilege of supplying themselves with slaves from abroad, and refused to come into the union unless congress were prohibited, during that time, from preventing importation. Congress were accordingly prohibited, and scarcely ten years have elapsed since the prohibition ceased. Can they reasonably ask already to be permitted to diffuse what they were then so anxious to possess? Are they so soon overburdened? It cannot be, for the illicit trade is still carried on, and that would end at once if there were not a demand and a market.

I may be told, and told with truth, that the other slave-holding states are not exposed to the same remark. Of Virginia, especially, it gives me pleasure to be able to speak on this subject with sincere respect. While a colony, she remonstrated against the introduction of slaves. One of the earliest acts of her government, after her independence, put an end to the trade: And it has always been understood, to her honor, that, in the convention, her voice and her most strenuous exertions were employed in favor of the immediate abolition of the traffic. Still, sir, with respect to any, or all the slave-holding states, I may be allowed to ask, is *diffusion* now necessary? I think it is not. Look at the present price of slaves. Does that indicate an actual increase of their numbers to such an amount as to require diffusion? I am informed by a gentleman, upon whose accuracy I place great reliance, that, from the adoption of the constitution to the present time, the price has been regularly advancing. I do not mean to say that it is as high now as it was a year ago. It was then, like every thing else, affected by speculation. But, taking average periods, say of five or six years, there has been a regular and constant advance, manifesting a demand at least equal to the supply.

Take another and a larger view. Look at the extent of territory, occupied entirely by freemen, and that which is occupied by freemen and by slaves. You will find, that, at the time of the last census, in 1810, 444,070 square miles were inhabited by 2,333,336 free persons, and 1,138,260 slaves, giving a total of 3,471,606. At the same period, 3,650,101 free persons had for their portion 318,726 square miles. Such was then the comparative extent and population of the free states, and of the slave-holding states and territories; the latter with fewer inhabitants by almost two hundred thousand, possessing above one hundred and thirty thousand square miles of land more than the former, a tract of country equal in size to the two largest states in the union. The population in the free states we know increases with greater rapidity than the slave-holding states. At the present time it is not to be doubted, that the disparity is greater than it was in 1810, and more unfavorable to the free inhabitants. In making the distribution of future comfort we ought to have at least an equal eye to the latter, and they, I think, from this statement, are most likely soon to want room to diffuse.

If it were not dwelling too long upon this part of the subject, I would ask gentlemen to look also at the comparative statement of the population to the square mile, in the free states and in the slave-holding states. They will find it in Dr. Stryker's work (page 45.) If I mistake not, the average of the former was 27, 56, and of the latter 15, 36, applying the computation to the states contained in his table. These facts sufficiently answer the question, whether the diffusion of the slave population is now necessary.

I am fully convinced, however, that this idea of *diffusion* (as distinguished from *extension*) which is at present so great a favorite, is altogether founded in error. If the amounts of the slave population were fixed, and it could not be increased, it would, no doubt, be correct to say, that in spreading it over a larger surface, you only diffused it. But this is certainly not the case. We need not recur, for proof or illustration, to the laws that govern population. Our own experience, unhappily, shows that this evil has a great capacity to increase; and its present magnitude is such as to occasion the most serious anxiety. In 1790, there were in the United States 694,380 slaves; in 1800, there were 849,281; and in 1810, 1,165,441. This is a gloomy picture. The arguments of gentlemen on the opposite side admit that an increase will take place, for they are founded upon the belief that the time must arrive, when the slaves will be so multiplied as to become dangerous to their possessors. There are indeed no limits to the increase of population, black or white, slave or free, but those which depend upon the means of subsistence. By enlarging the space, generally speaking, you increase the quantity of food and of course you increase the numbers of the people. Our own illustrious Franklin, with his usual sagacity, long ago discovered this important truth. "Was the face of the earth," he says, "vacant of other plants, it might be gradually sowed and overpread with one kind only, as, for instance, with fennel; and were it empty of other inhabitants, it might, in a few ages, be replenished with one nation only, as, for

instance, with Englishmen." If this does not exactly happen, it is only because, in their march, they are met and resisted by other plants and by other people, struggling, like themselves, for the means of subsistence.

By enlarging the power for slavery, you are thus preparing the means for its indefinite increase and extension, and the result will be, to keep the present slave-holding states supplied to their wishes with this description of population, and to enable them to throw off the surplus, with all its productive power, on the west, as long as the country shall be able and willing to receive them. To what extent you will, in this way, increase the slave population, it is impossible to calculate; but that you will increase it there can be no doubt, and it is equally certain that the increase will be at the expense of the free population.

The same gentleman, to whom I have several times referred before, (Mr. Clay), insists that this will not be the case. He says, that the rate of increase of slave population shows, that its activity is now at its maximum; and, as this implies the existence of the most favorable circumstances, you cannot, by any change, accelerate the increase. He, therefore, infers, that if from twenty slaves in an old state, you take two, and transfer them to a new one, it is an actual diminution in the state from which they are taken to that amount, and putting the two states together, you simply change the place, but not alter the quantity. Supposing the fact to be, as it is here assumed to be, that the activity of increase is now at its maximum, it affords a most conclusive argument against the necessity of diffusion. It proves that there is ample room, and abundant means of subsistence, within the limits that now circumscribe the slave population, and that no enlargement of those limits is necessary. But, sir, we must look a little into the future. Legislation on this subject, is not merely for the moment we occupy. The whole scope of the argument against us, is founded upon the belief, that the time must come when the slaves will be straitened in the territory, large as it is, which now confines them. When that time shall arrive, I presume it will not be denied, that their numbers will be increased, by enlarging the space for them, and then, certainly, you will have extended slavery, in every sense.

Will it be such a dispersion as the gentleman from Virginia, (Mr. Smyth), has talked of? If, like prisoners of war, (one of the cases he has mentioned) they were to be detained for a limited time, and then set at liberty; or, if they were to be mixed in society, and gradually lose the distinctive character in the mixture, dispersion would be highly expedient and just. But, they are negroes and slaves—so they are to continue. Their descendants are to be negroes and slaves, to the latest generation, and forever chained to their present condition. Nature has placed upon them an unalterable physical mark, and you have associated with it an inseparable and moral degradation, either of which opposes a barrier not to be passed—to their consociating with the society that surrounds them. They are, and forever must remain, distinct.

And now, let me ask gentlemen, where this diffusion is to end? If circumstances require it at present, will not the same circumstances demand it hereafter? Will they not, at some future time, become straitened in their new limits, however large? And what will you do then? Diffuse again—and what then? Even this diffusion will have its limits, and when they are reached, the case is without remedy and without hope. For a present ease to ourselves, we doom our posterity to an interminable curse. But we seem to forget, altogether, that while the slaves are spreading, the free population is also increasing, and sooner or later, must feel the pressure, which it is supposed may, at some time, be felt by the slaves. Where you place a slave he occupies the ground that would maintain a freeman. And who, in this code of speculative humanity, making provision for times afar off, is to have the preference, the freeman or the slave?

In this long view of remote and distant consequences, the gentleman from Kentucky, (Mr. Clay), thinks he sees how slavery, when thus spread, is at last to find its end. It is to be brought about by the combined operation of the laws which regulate the price of labor and the laws which govern population. When the country shall be filled with inhabitants, and the price of labor shall have reached a minimum, (a comparative minimum I suppose is meant), free labor will be found cheaper than slave labor. Slaves will then be without employment, and, of course, without the means of comfortable subsistence, which will reduce their numbers, and finally extirpate them. This is the argument, as I understand it—When the period referred to will arrive, no one can pretend to conjecture. Much less, would any one attempt to say, what number of slaves we shall have, (with the previous encouragement proposed to be given to them), when this severe law shall begin to operate. But every prudent and feeling man will, I think, agree, without hesitation, that he would rather see the experiment tried upon a small scale than a large one—that it would be much more easily and safely conducted, and with much less suffering, in the present slave-holding states, than if it were to embrace, in addition, the whole of the great territory beyond the Mississippi. But let me ask that gentleman, what he supposes will happen in the mean time? The diminished price of labor, and the reduced means of subsistence, are, according to this theory, first to operate upon the freemen, and then upon the slaves, and upon both, by producing a considerable degree of misery. Does he suppose that they will patiently submit, and wait till the slow destruction arrives? The two great classes, kept distinct by your laws, would, in such a struggle, like two men upon a single plank in the ocean, make a desperate effort each to secure to himself existence, by destroying the life of the other. When want and misery begin to press upon them, instinct will teach them how to seek relief, and deadly violence will be its agent: And what would then be the situation of the country? I shudder even to think of it. The present slave-holding states have a security in being surrounded by states that are free. But if the whole nation, or even a num-

derable part of it, were in the same condition, what security should we then have?

Again, sir, we are told, that the amendment in question will injure the rights of property, by depriving the owners of slaves of their unborn descendants, and by lessening the value of their lands, bought upon the presumption that Missouri would be a slave state. Sir, we have no right to meddle with the question of slavery in the existing states. Their own laws must regulate the subject, and they may modify it as to them shall seem best. But, as a general position, independently of state provisions, it may safely be asserted, that no man has a property in an unborn human being. We need not go far for the proof of this. The states that have abolished slavery, have done so by declaring that the children to be born should be free, which would have been beyond their power, if there had been a property in the children before their birth. This principle, however, is so well established, that it need not be further insisted upon. The depreciation in the value of land, is a consequence not likely to happen. The reverse will be the case. Let any one compare the prices and the improvement of land in the free states, and in the slave-holding states, and he will be satisfied, that in this, as in every other respect, Missouri will be a great gainer by the restriction. But, if it were otherwise, is the great policy of the nation in a point so vital—the essential interests of justice and humanity, to yield to the pecuniary interests of a few individuals? Can you always avoid doing a partial injury by your public measures? When war is declared, what is the effect upon the merchant? When peace is made, how does it fare with the manufacturer? You cannot even alter the rate of a duty, without affecting some interest of the community, either to its prejudice or benefit, and at last you must come to the consideration of the great question of national concern, to which minor considerations must give way.

In the variety of claims, that have been pressed upon us, there is but a single one which deserves a moment's attention. It is that which arises out of the enquiry, so often repeated, will you not suffer a man to migrate with his family?—Those who have been accustomed to the labor and services of slaves, it is not to be denied, cannot at once change their habits, without feeling, at least, a great deal of inconvenience. It is also true, that the associations which have been formed in families, cannot be broken up without violence and injury to both the parties; and in proportion as the authority has been mild in its exercise, will the transfer of it to other hands be disadvantageous, especially to the servant. But, it is impossible to make a discrimination, or to permit the introduction of slaves, at all, without giving up the whole matter. If you allow slavery to exist, you must allow it without limits. The consequence is, that the state becomes a slave state. Free labor and slave labor cannot be employed together. Those who go there, must become slave holders, and your whole system is overturned—Besides, if the limited permission did not, of itself, produce the evil, to an unlimited extent (as it certainly would) it is liable to abuse, beyond all possibility of control, which would inevitably have that effect. The numbers of a family are not defined—the number of families of this sort, which a single individual may have, cannot be fixed. It is easy to see how, under color of such permission, a regular trade might be established, and carried on as long as there was any temptation of profit or interest.—This argument, however, has been pressed, as if a prohibition to go with slaves, was in effect a prohibition to the inhabitants of a slave-holding state to go at all. I cannot believe this to be the case. They may go without slaves; for though slavery is a convenience and a luxury to those who are accustomed to them, yet the inhabitants of the slave-holding states would hardly admit that they are indispensably necessary. Besides, they may take their slaves with them as free servants. But look at the converse.—The introduction of slavery, banishes free labor, or places it under such discouragement and opprobrium as are equivalent in effect. You shut the country, then, against the free emigrant, who carries with him nothing but his industry.—There are large and valuable classes of people, who are opposed to slavery, and cannot live where it is permitted. These too you exclude. The laws and the policy of a slave state, will and must be adapted to the condition of slavery, and, without going into any particulars, it will be allowed, that they are in the highest degree offensive to those who are opposed to slavery.—It seems to me, sir, I may be pardoned for so far expressing an opinion upon the concerns of the slave-holding states—it seems to me, that the people of the south have a common interest with us in this question, not for themselves, perhaps, but for those who are equally dear to them. The cultivation by slaves requires large estates. They cannot be parcelled out and divided. In the course of time, and before very long, it will happen that the younger children of southern families must look elsewhere to find employment for their talents, and scope for their exertion. What better provision can they have, than free states, where they may fairly enter into competition with freemen, and every one find the level which his proper abilities will enable him to expect? The hint is sufficient; I venture to throw it out for the consideration of those whom it concerns.

But, independently of the objections to the extension, arising from the views that are presented by the opponents of the amendment, and independently of many much more deeply founded objections, which I forbear now to press, there are enough, of a very obvious kind, to settle the question conclusively. With the indulgence of the committee, I will touch upon some of them.

It will be remembered, that this is the first step beyond the Mississippi—the state of Louisiana is no exception, for there slavery existed to an extent which left no alternative.—It is the last step too, for this is the last stand that can be made. Compromise is forbidden by the principles contended for on both sides; any compromise that would give slavery to Missouri is

out of the question. It is, therefore, the final, irremediable step, which can never be recalled, and must lead to an immeasurable spread of slavery over the country beyond the Mississippi. If any one falters; if he be tempted by insinuations, or terrified by the apprehension of losing something desirable—if he find himself drawn aside by view, to the little interests that are immediately about him—let him reflect upon the magnitude of the question, and he will be elevated above all such considerations. The eyes of the country are upon him; the interests of posterity are committed to his care—let him beware how he barter not his own but his children's birth-right, for a mere pot of gold.—The consciousness that we have done our duty, is a sure and never failing dependence. It will stand by us and support us through life, under every vicissitude of fortune, and in every change of circumstances. It sheds a steady and a cheering light upon the future as well as the present, and is at once a grateful and a lasting reward.

Again, sir, by increasing the market for slaves, you postpone and destroy the hope of extinguishing slavery by emancipation. It seems to me, that the reduction in value of slaves, however accomplished, is the only inducement that will ever effect an abolition of slavery. The multiplication of free states, will at the same time give room for emancipation, or, to speak more accurately, for those who are emancipated. This, I would respectfully suggest, is the only effectual plan of colonization—but it can never take effect while it is the interest of owners to pursue their slaves with so much avidity, or to pay such prices for them. Increase the market, and you keep up the value—increase the number of slave-holding states, and you destroy the possibility of emancipation, even if every part of the union should desire it. You extend, indefinitely, the formidable difficulties which already exist.

Nor does the mischief stop here. All liberal minds and all parts of the union, have with one voice agreed in the necessity of abolishing that detestable traffic in human flesh, the slave trade—the foreign slave trade. But, reject the amendment on your table, admit Missouri without restriction, and you will inevitably introduce and establish a great inland domestic slave trade, not, it is true, with all the horrors of the middle passage, nor the cold blooded calculation upon the waste of human life in the seasoning, but still with many of the odious features, and some of the most cruel accompaniments of that hateful traffic. From Washington to St. Louis, may be a distance of one thousand miles. Through this great space, and even a much greater, you must witness the transportation of slaves, with the usual appendages of hand-cuffs and chains. The ties of domestic life will be violently rent asunder, and those whom nature has bound together, suffer all the pangs of an unnatural and cruel separation. Unfeeling force, stimulated by unfeeling avarice, will tear the parent from the child, and the child from the parent—the husband from the wife, and the wife from the husband. We have lately witnessed something of this sort, during the period of high prices. Gentlemen of the south, particularly those from Virginia, who speak of their slaves as a part of their family, would start at this—they would reject, with scorn and indignation, even a suggestion, that they were to furnish a market for the supply of slaves to the other states. I can well believe that, in families where the relation has long subsisted, there are feelings that would revolt at such a thought—feelings that have considerably modified this severe condition, and grown out of the associations it has, in a long course of time, produced. But, can any one tell, what cupid may win or necessity extort? No man is superior to the assaults of fortune, and if he were, the stroke of death will surely come, and break down his paternal government, and, then, the slave-dealer, whom he would have kicked from his inclosure, like a poisonous reptile, presents himself—to whom?—he cannot tell. Thoughts like these have often, I doubt not, produced the liberation of slaves. If gentlemen question our sincerity, let them consider at what period of life it is, that emancipation most frequently takes place. It is at that serious moment, when men sit down to settle their worldly concerns, and, as it were, to take their leave of the world. Then, it is, by the last will, to take effect when their own control is ended, that owners restore their slaves to freedom, and, by what they certainly consider an act of justice rather than leave them to the disposal of they know not whom. Let gentlemen from the south reflect on this. The public sentiment, upon the subject of slavery, is every where improved, and still improving. It has already destroyed that monstrous inhumanity called the slave trade. I fear that such a measure, as is now proposed by the opponents of the restriction, would not merely check and retard its progress; I seriously fear that it may gradually work an entire change. The effects are not to be contemplated without the deepest anxiety.

The political aspect of the subject is not less alarming. The existence of this condition among us, continually endangers the peace and well being of the union, by the irritation and animosity it creates between neighboring states. It weakens the nation while it is entire: And if ever a division should happen, can any one reflect without horror, upon the consequences that may be worked out of an extensively prevailing system of slavery? We are told, indeed, both in the house and out of it, to leave the matter to Providence. Those who tell us so, are nevertheless active and eager in the smallest of their own concerns, omitting nothing to secure success. Sir, we are endowed with faculties, that enable us to judge and to choose—to look before and after, however imperfectly. When there have been fairly and conscientiously exerted, we may then humbly submit the consequences, with a hope and belief, that, whatever they may be, they will not be imputed to us. The issue of our councils, however well meant, is not in our hands. But, if for our own gratification, regardless

of all considerations of right or wrong, of good or evil, we hug a vicious indulgence to our bosom, until we find it turning to a venomous serpent, and threatening to sting us to the heart, with what rational or consoling expectation, can we call upon Providence to tear it away and save us from destruction?

It is time to come to a conclusion. I fear I have already trespassed too long. In the effort I have made to submit to the committee, my views of this question, it has been impossible to escape entirely the influence of the sensation that pervades this house. Yet, I have no such apprehensions as have been expressed. The question is indeed an important one; but its importance is derived altogether from its connection with the extension, indefinitely, of negro slavery, over a land which I trust Providence has destined for the labor and the support of freemen. I have no fear that this question, much as it has agitated the country, is to produce any fatal division, or even to generate a new organization of parties. It is not a question upon which we ought to indulge unreasonable apprehensions, or yield to the councils of fear. It concerns ages to come and millions to be born. It is, as it were, a question of a new political creation, and it is for us, under heaven, to say, what shall be its condition. If we impose the restriction, it will I hope be finally imposed. But, if hereafter it should be found right to remove it, and the state consent, we can remove it. Admit the state, without the restriction, the power is gone forever, and with it are forever gone all the efforts that have been made by the non-slaveholding states to repress and limit the sphere of slavery, and enlarge and extend the blessings of freedom. With it, perhaps, is gone forever, the power of preventing the traffic in slaves, that inhuman and detestable traffic, so long a disgrace to Christendom. In future, and no very distant time, convenience, and profit, and necessity, may be found as available pleas as they formerly were, and for the luxury of slaves, we shall again involve ourselves in the sin of the trade. We must not presume too much upon the strength of our resolutions. Let every man who has been accustomed to the indulgence, ask himself if it is not a luxury—a tempting luxury, which solicits him strongly and at every moment. The prompt obedience, the ready attention, the submissive and humble, but eager effort to anticipate command—how flattering to our pride, how soothing to our indolence! To the members from the south, I appeal to know whether they will suffer any temporary inconvenience, or any speculative advantage to expose us to the danger. To those of the north, no appeal can be necessary. To both, I can most sincerely say, that as I know my own views on this subject to be free from any unworthy motive, so will I believe, that they likewise have no object but the common good of our common country, and that nothing would have given me more heartfelt satisfaction, than that the present proposition should have originated in the same quarter to which we are said to be indebted for the ordinance of 1787. Then, indeed, would Virginia have appeared in even more than her wonted splendor, and spreading out the scroll of her services, would have beheld none of them with greater pleasure, than that which began, by pleading the cause of humanity in remonstrances against the slave trade, while she was yet a colony, and, embracing her own act of abolition, and the ordinance of 1787, terminated in the restriction on Missouri. Consider, what a foundation our predecessors have laid! And behold, with the blessing of Providence, how the work has prospered! What is there, in ancient or in modern times, that can be compared with the growth and prosperity of the states founded out of the North West Territory? What European republicans with our negro slavery; when they contrast our republic with our boasted and pretensions with the existence of this condition among us, we have our answer ready—it is to you we owe this evil—you planted it here, and it has taken such root in the soil we have not the power to eradicate it. Then, turning to the west, and directing their attention to Ohio, Indiana and Illinois, we can proudly tell them, these are the offspring of our policy and our laws, these are the free productions of the constitution of the United States. But, if beyond this smiling region, they should desecrate another dark spot upon the face of the new creation—another scene of negro slavery, established by ourselves, and spreading continually towards the further ocean, what shall we say then? No, sir, let us follow up the work our ancestors have begun. Let us give to the world a new pledge of our sincerity. Let the standard of freedom be planted in Missouri, by the hands of the constitution, and let its banner wave over the heads of none but freemen—men retaining the image impressed upon them by their Creator, and dependent upon none but God and the laws. Then, as our republican states extend, republican principles will go hand in hand with republican practice—the love of liberty with the sense of justice. Then, sir, the dawn, flowing from the constitution, which now illuminates Ohio, Indiana and Illinois, will spread with increasing brightness to the further west, till in its brilliant lustre, the dark spot which now rests upon our country, shall be forever hid from sight. Industry, arts, commerce and knowledge will flourish, with plenty and contentment, for ages to come, and the loud chorus of universal freedom resounds from the Pacific to the Atlantic, the great truths of the declaration of independence. Then too, our brethren of the south, if they sincerely wish it, may scatter their emancipated slaves through this boundless region, and our country, at length be happily freed forever from the foul stain and curse of slavery. And if (may it be far, very far distant!) intestine commotion—civil dissension—division, should happen—we shall not leave our posterity exposed to the combined horrors of a civil and a servile war. If any man still hesitate, influenced by some temporary motive of convenience, or ease, or profit, I charge him to think what our fathers have suffered for us, and then to ask his heart, if he can be faithless to the obligation he owes to posterity?

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN NEWS. The foreign articles given in this sheet, are exceedingly interesting—perhaps, important. We take this opportunity to remark that on the present occasion, as is very often the case, we are chiefly indebted to the New-York *Commercial Advertiser* for this portion of our matter.

In *England*, the arrival of the queen has excited a mighty disturbance. The case between her and her husband is now fairly at issue, and it would appear that the period of a compromise had passed. The mass of the people are evidently well disposed towards her; and, indeed, the spirit of opposition to government is so widely spread among the poorer classes, that they seem prepared to rally at any point which may afford the prospect of a change. She demands a *public trial*—the ministry wish to investigate her conduct *secretly*: if she persists, we think it doubtful whether the government, powerful as it is, will be able to arraign her privately. There is something in the character of the English people, a fragment of the spirit of liberty which they once possessed, that is decidedly opposed to secret trials or condemnations, and which also is full of energy to resist what seems to be a persecution; and in this case, settled upon the queen, and sustained, as it probably will be, by many distinguished persons, it is possible that those in opposition to the government may assume sufficient importance to bring about momentous events. For ourselves, as republicans, we laugh at the notion that a quarrel between a man and his wife, the one not a *Joseph* nor the other a *Lucretia*, should produce such a national excitement—the couple are not worth a nation's thoughts for a moment. But the people of monarchical countries have very different ideas on such subjects—and it appears to us that the British ministers have now before them one of the most difficult tasks that ever was assigned to them, provided the queen remains firm to her purpose and insists on her "rights."

The British government has acknowledged its agency in the "Cato-street conspiracy," by the pardon of the wretch *Edwards*, &c.

France is represented to be in a state of great disquietude—see the summary of news. Paris is not agitated alone. The theatres in most of the principal cities, as well as in the capital, had been shut up, in consequence of late riots. But such is the condition of the press in France, under the censorship, that authentic accounts of these things cannot be expected. Yet the inmates of the palace have heard the terrible cry of "*Vive l'Empereur*!" The debates in the chamber of deputies are almost as violent as any that happened in the legislative body during the revolution, and the people take sides pretty much in the manner that they did then. France is universally regarded as a sleeping volcano, ready to burst forth at the first opportunity.

In *Spain*, it does not appear that things go on so smoothly as our former accounts led us to suppose. An opposition to the constitution begins to manifest itself, and blood has been shed in consequence at Saragossa. Several persons have also been arrested; and it is the opinion of some of our best informed men, that, at the meeting of the cortes, another revolution may be expected, in the flight

or expulsion of Ferdinand. This may be reasonable, when we reflect that that body will bring to a common point a large mass of *personal feeling* opposed to the king, on account of personal suffering, wickedly imposed on the best men of the nation. The Spanish press indulges itself in much freedom of remark, and things are discussed as frankly as they are in the United States.

In the *Netherlands*, the newspapers are more restrained than they were—the French liberales, having no press at home, had resorted to them to disseminate their doctrines. This offended the French government, and the practice is checked.

Germany is quiet—but we may see many evidences of a spirit in the country very much opposed to the despotism which governs it.

In *Portugal*, it is said, that the chief of the house of Cadaval, has made claims to the throne—but we have not any particulars.

¶ We have so often received accounts of the disturbed state of Europe, within two or three years past, and which have not yet amounted to any thing of importance, that we now know not how to judge of such things; but we still maintain the idea which we have often expressed, "that the age of revolutions has not past;" and that as mighty events as any that have happened in the present generation, may yet be expected to take place, and shortly. It appears to us impossible, that, after the march of mind in Europe, generally, the people can bear the perfect despotism which everywhere seems prepared for them. The English government appears to totter with its own weight. New loans are every year made, and new taxes must, of course, be provided to pay the interest on them, though it would seem as if the national ability to contribute them was already exhausted.

WHAT IS BEST?—Most men, sometimes, act upon the principle of the decree of the Athenians, when they gave perpetuity to the name and crime of Erastostratus, (who burnt the temple of Diana, for the sole purpose of eternizing himself), when they solemnly recorded his name in a resolve that his name should never be mentioned!—that is, the very reverse of what we desire to accomplish is brought about by our misconstrued motives on ill-advised proceedings. A case of the former will be found in the article mentioned below, and it is possible that what we shall say on the subject immediately before us, may furnish an evidence of the latter; but we feel it most consistent with our ideas of right, to throw out the little influence of reason that we have, to assist in arresting a course of things which can only be productive of injury to the republic—whose harmony and unity should always be the first consideration in the mind of a reflecting American. We may differ on principles and wrangle about practices, but there are certain great points of moderation and forbearance—mutual respect and good will, on which all should agree.

In a very respectable village newspaper of the state of New-York, the editorial articles in which have often pleased us much, the following was recently published:

"*Western morals and fashions*—The ladies, as well as the gentlemen, (says a letter to the editor, from

St. Louis), wear dirks by their sides; and *dirking* is very fashionable here." This fact is, of itself, a sufficient commentary on the state of society and morals in Missouri."

What an imprudent extract! Are all the people of the "west"—of the many highly important states beyond the mountains, to be thus traduced by wholesale, or even those of Missouri to be condemned *en masse*, because a few unhappy rencontres have occurred in the latter, and from the possibility that some few women, influenced by the passions thereby excited, may have worn 'dirks,' as the letter states? though we know not how to believe that any such thing has happened. It is like the stories that were told of Baltimore after some unfortunate events here, by which many persons at a distance seemed almost to believe that we killed a man daily, and devoured him, like cannibals, in a public square, out of the pure love of shedding human blood! It partakes, most liberally, of the spirit of the British tourists through our country: one of these, whose name I have long since forgotten, either stated or implied the fact, that the people of a certain quarter might be known from their having one eye gouged out in fighting—he had, perhaps, seen one person so maimed, and this was sufficient proof to him of its universal prevalence. It is true, several fatal contentions have recently happened in Missouri, and we have had large reports about riots and the like—but no one can believe that either should give a character to the people of that country, nearly ninety-nine of an hundred of whom are emigrants from the old states, our relations, friends and acquaintances.

On the other hand, we notice the following toast, drank at the celebration of the late anniversary, in Virginia:

"Missouri—

Born in freedom's eagle-nest,
Rock'd by whirlwinds, in their rage."

This is as offensive to a great number of persons as the preceding extract can be to others—being the act of a large company, not that of an individual.

The framers of the constitution of the United States were *ashamed* to mention the word slaves—deeply mortified at the necessity imposed of making any regulation except for *citizens* of the republic; but here is a proud boast, that, because Missouri was allowed to be a *slave-holding state*, she was "rock'd in freedom's eagle-nest." It a monstrous libel upon our republican institutions, and as little to be tolerated by a majority of the people of the United States, as the extract given above by those of Missouri.

These are mere specimens of what has been said and written—indeed, more violent things than either of those quoted have met our eyes—we ask, what possible good can grow out of them?

There is no evil to be imagined so fatal to the happiness of the citizens of this republic, so pregnant with evil consequences to the march of freedom over the world, as the division of these states would be. In spite of our own folly and wickedness, the grand fact exists, that there is no people on the globe to be compared with us for private comfort or public virtue. This, we believe, may be said without the suspicion of boasting, though individual cases are not wanting to prove the opposite of these things; and we have misery and corruption enough. We stand before the human race as an example, that man is best capable of self-government, and that no wretched race of semi-ideots or confirmed villains, are needful to the preservation

of order and law! Our responsibility is exceedingly great, not to ourselves only, but to all the world; and we shall be blessed or cursed by the enlightened of posterity, as we use the means afforded to rescue man from civil and religious despotism. Let us not, then, do any thing to weaken the bonds that unite us, and direct us to happiness—to power—to command! The Missouri question, in itself, is a most awful one: it is sufficient to occupy our best minds and dispositions, free from any additional excitement;—it seems already to have made a *moral* separation among the people: let us all take care to avoid whatever may lead to a political arrayment of power against power. We had begun to love each other; thousands of us felt that *Americans* inhabited the mountainous countries of Maine as well as the plains of Georgia, and the people of the seaboard and those of the interior, were knitting together by the most endearing ties. Frenzy to the brain that shall plot to disturb the happy progress of these things! But mutual forbearance and moderation is indispensably necessary to their preservation, and the indiscrete may destroy all which the coolest heads and best hearts have built up, as the asylum of the afflicted, the hope of humanity, and home of liberty.

THE PENSIONER. In our paper of the 15th inst. we noticed the case of an officer of the revolutionary army, who had been relieved by the late pension law of the United States—with which, for the reasons stated, we were highly pleased.

By letters received from two of the surviving officers of the Delaware line—gentlemen whom I have always been proud to call my friends, as well as by a publication in the "Watchman," it appears that I was mistaken as to the extent of the service rendered by the officer alluded to. I always understood until now, that he belonged to the famous Delaware regiment from the beginning until the end of the war, and had a part in all its severe fights and privations; but it seems that "he left the service in 1777, and resigned his commission [of ensign] early in 1778; when he married and obtained some property, which was soon expended; and, not being qualified for any other business, he was obliged to seek his living by common labor"—says the writer in the "Watchman," very warmly.

It is always proper to correct error—and, certainly, being a native of Delaware, and also on intimate terms with nearly every one of its surviving revolutionary officers, I should suppose that I was almost the last man that would willingly depreciate the character of the state or that of persons so esteemed: yet the matter would not have been noticed, but for the reason that those gentlemen seem to be offended at what was honestly meant in compliment to revolutionary worth in general; as shewing that those who so largely participated in the memorable contest, were persons not ashamed to earn a subsistence by labor: and, at the time of writing the article, I had in recollection the exclamation said to have been made in one of the London theatres, (just after the peace of 1783, when a play was represented which was designed to ridicule the late officers of our army), to prove that high-sounding titles, or what are called the honorable professions, have nothing to do with the substantial utilities of men. But, as the matter has turned out, and my design has lost its purpose as to those immediately interested, the following explanation is necessarily made:

We are informed by the writer above quoted, that only four officers of the Delaware line, were

placed on the pension list—"Bennet, Roche, Corse and McClan." It was the latter to whom I had reference—and he is the only one, I am told, who is retained on the list, the rest being struck off by the secretary of war, under the late modifications of the act, because they would not make themselves out to be absolute paupers, which it now seems is required in order to obtain the benefit of the law! This is sufficient—and certainly, though poor McClan has been complimented above his deserts, nothing has been said that ought to be construed into an act of wrong to others, who bore the burthen of the war, and went through the contest with so much honor to themselves, and so well entitled themselves to the gratitude of their country.

The Bank Director's Letter.

The following letter, published in the *London Courier*, of the 11th of May, last, has given rise to much indignant remark in many of the newspapers. We shall not trouble our readers with any comments upon it—every one will make them for himself. The writer, we are told, is an Englishman named *Atley*, who has obtained all his present consequence in the country which he traduces, and *really* is a director of the bank of the United States. It is recorded in part as a curiosity, and to shew the sort of machinery which is always in motion to depreciate the United States in Europe, the agents of which are too often those whom we have tenderly nursed within our own bosoms.

London, May 11, 1820. That we are suffering, very considerably, from the stagnation of our trade and manufactures, cannot be denied. We are not alone, however, in our embarrassments, as the following letter from one of the directors of the bank of the United States to a friend in Manchester, will testify: It will serve also, to soften down some of the bright tints in the picture which Mr. Baring drew, the other night, of the prosperous condition of all the rest of the world compared with our own:

"Our difficulties in commerce, whether mercantile or domestic, continue without abatement. Men of business are like patients in the last stage of consumption, hoping for a favorable change, but growing weaker every day till they expire.

"Dismal as the prospects are on your side the water, they are worse here. You have some regular and profitable trade—we have none. It is all scamper and hap-hazard. When I came to this country, on the first day of my arrival in Philadelphia I walked round among correspondents whom I had before known by name. I was at home amongst them; and I would, without the least hesitation have sold them goods to the amount of 100,000 pounds. Now I do not know the persons doing business; and there is not one amongst them whose order I would take for 1000! What a difference! A long continuance of distresses in the commercial world has a bad effect on the morality of the country. The vast number of failures takes away their odium. Men fail in parties for convenience; and the barriers of honesty are broken down by a perpetual legislation suited to the condition of insolvent debtors. We have now no imprisonment for debt. Credit is become very rare, as you may well imagine, for we have nothing to depend upon but a man's honesty!! Besides our commercial distresses, we are suffering great alarm in this city, from incendiaries, who have succeeded in setting fire to a great number of buildings. On Sunday evening our Theatre was entirely destroyed.

ed. It produced the greatest flame I ever saw. Most fortunately a heavy snow had fallen during the day and the roofs of the houses being covered with it, were preserved from taking fire: otherwise we should have had a most dreadful conflagration.

"During the former prosperous times of this country, it was an universal complaint that the expenses of living were extravagantly high; but it is now discovered, that the place which is the most expensive to live in, is the best place for making money and living with comfort. Houses which rented for \$1200, now rent for 450 dollars; fuel which cost 12 dollars, now costs 5½ dollars; flour which was 10 and 11 dollars, is now 4½; beef 25 cents, now eight cents; other things in proportion. It is thus true we now pay less for these necessities, but we can make no money. The farmer is become as poor as a rat; the labor of his farm costs him more than the produce is worth. He cannot pay the store keeper, and the store keeper cannot pay the merchant. The economists who write on the advantages of keeping down the prices of the necessities of life, are quite wrong; experience proves that when the produce of the ground bears a high price, labor will necessarily bear a high price also; and the abundance of money passing through all ranks of society, enables a vigilant and industrious man to possess himself of the means of comfortable subsistence.

"Mail robberies and piracies are quite the order of the day. Two men were hung at Baltimore a few months ago for robbing the mail; two more will experience the same fate in a few days, at the same place, for the same crime.—Two men are to be hung there a week hence, for piracy, and five others are under sentence of death. You perceive that every description of vice prevails here in its worst form, and it is the more shocking, since it does not arise from the pressure of circumstances that men should turn villains; it is mere depravity."

Public Lands.

We were among those who warmly advocated the late change in the manner of disposing of the public lands, under the belief that it would prove advantageous as well to the western country as to the nation at large. The debts now due for lands sold, amount to nearly 25 millions; and, as it had almost become a matter of course to extend the credit to those who asked for it, there was no calculating to what an extent the amount would have proceeded; and, in the present state of the times, to have urged payment, would have caused the ruin of thousands of deserving persons. Now the debt will be gradually and easily diminished, and the emigrants westward, instead of adding to the difficulties experienced in that quarter, by adding to the debts due, will take out money with them to purchase lands; and so probably chiefly consist of that class of society which it is the interest of every community to possess.

We have seen several articles like the following in the western papers, and are much pleased to observe that the change appears to be approved by those who seem more immediately interested in the matter.

FROM THE KENTUCKY ARGUS.

The present congress have made an important change in the price and mode of selling public lands. The price is reduced from two dollars per acre to one dollar twenty-five cents; instead of the

former credits, the whole amount is to be paid when the land is entered; and the smallest quantity of land which can be purchased, is reduced from a quarter section or 160 acres, to a half quarter section or 80 acres. These changes, it is believed, will prove highly beneficial to the government, and not injurious to the people. The debt due for public lands was rapidly accumulating, every year, for some time past; it has been necessary to pass a law of indulgence similar to our Green River bill, and serious danger to the government was apprehended from this growing debt. Under the new system the debt will gradually diminish, and in a few years be utterly extinguished. No cause will exist for constant collision between the government and people, the former enforcing payment, and the latter evading it. What is the interest of the government, is the interest of the people.

The only plausible objections we have heard to this measure, are, that it may check emigration, and retard the growth of the western country. Had not the price and the smallest quantity of land allowed to be purchased, been reduced, these objections would have been solid. But under the old system the price was \$2; under the new \$1.25; under the old system the smallest quantity of land which could be purchased was 160 acres, under the new it is 80; under the old system one fourth was to be paid in hand, under the new the whole. Under the old system a poor man emigrating to the west must necessarily buy 160 acres at \$2 per acre, one fourth of which, or \$80, must be paid in hand; under the new he may purchase 80 acres at \$1.25 per acre, the whole of which or \$100, must be paid in hand. Hence it is evident that the poor man can obtain a house now with a small farm for little more than he could before. Most men in these times would value 80 acres *all their own*, with title complete, higher than 160 acres, one fourth paid for, without title, and subject to forfeiture and all the vicissitudes of the times. The industrious and economical man with 80 acres, will soon find means to increase his farm without trouble to his government, or embarrassment to himself. The great object of an emigrant, a sure and permanent house, is placed more completely within the reach of the northern and eastern poor than it was before. Hence, emigration will not be checked, but rather promoted.

Surrender of Cornwallis.

FROM THE NEW YORK EVENING POST, JULY 11.

Splendid painting.—The surrender of lord Cornwallis at Yorktown, painted by col. Trumbull, for the United States, is now exhibiting at Washington Hall, previous to its being sent to the seat of government. The size of the canvass is 12 feet by 18, and contains 54 portraits of American and French officers; among which are the likenesses of general Washington, general Lincoln, marquis La Fayette, baron Steuben, gen. Wayne, gen. Knox, col. Hamilton, col. John Laurens, of S. C.; T. Nelson, governor of Virginia, count Rochambeau, count de Grasse, duke de Leval, duke de Lauzun, baron Viomenel, count de Barras, and 19 others, all distinguished officers of the American army. Of the British officers, the painter has, from motives of delicacy, avoided giving resemblances. The painting represents the moment when the principal officers of the British are passing between the French and American generals to the place where they ground their arms, and from whence they returned to their quarters. The American troops are seen formed

on the right side of the road leading to York, gen. Washington, with the American officers, at their head; the French troops on the opposite side of the road facing them; count de Rochambeau, with the principal officers of the French navy and army, on their left. General Lincoln, who was appointed by Washington to conduct the ceremonies of the day, occupies the fore ground of the piece, with the British officers and their commander at the side of his horse. This honor was assigned him in consequence of the unworthy treatment he had met with from lord Cornwallis in reverse circumstances, when he was compelled to surrender to him at Charleston about 18 months before, after sustaining with great bravery a siege of forty days for which he would have been applauded by a generous enemy, and have been as much as possible spared every circumstance mortifying to his feelings, but instead of that, his lordship magnanimously caused his army to cease their colors and the drums to beat a yankee march. Little did he think that a stinging retribution was so near at hand. To general Lincoln, therefore, was assigned the duty of superintending the submission of the British army under lord Cornwallis, at Yorktown, in precisely the same way that his own had been conducted about 18 months before at Charleston, "with shouldered arms, colors cased and drums beating a British or German march;" and the whole is faithfully represented in this picture. In the centre, and in the distance are seen the entrance of the town, with the captured troops marching out; and also a glimpse of York river, and the entrance of the Chesapeake, as taken on the spot.

Such is the general and hasty outline of one of the finest pictures this country has ever produced, both as a performance in the art of painting, and as a subject upon which no man, who boasts of a drop of American blood in his veins, can look with indifference; can look without feeling it grow warmer at his heart, as he fixes his eyes upon the sight before him, and becomes animated and enkindled at the train of associations it calls up. It does honor to our country; to the patriot heart that designed, and the skillful hand that executed it; and we should be wanting in our duty to our fellow citizens, did we not urge every one to avail himself of the present opportunity to witness this elegant specimen of the fine arts, by a native American, before its removal.

Emigration from Europe.

Passengers.—It appears, by the official returns from the mayor's office that, from December, 1818, to December, 1819, 35,560 passengers arrived at this port. This will give an idea of the great intercourse which is had with this city; yet it also appears that, out of this number, 16,628, were Americans, leaving 18,932 foreigners, which, of itself, is an important amount. There is something also to consider in the national character of these emigrants: 7,629 were English, and 6,067 were Irish. The proportion of Irish to English emigrants, has been heretofore in favor of the Irish, but this year, the English takes the lead. It is certain that the Irish have a more sincere attachment to this country than the English: their associations and feelings, and the success of many of their countrymen, have given a great spur to emigration; added to this, their wants and their enterprise are greater than those of the English; yet we have, in this excess of English emigration, a very strong proof of the misery of the times, and the extremes to

which they are reduced—extremes which the Irish have scarcely arrived at. It is said that many of these were bound to Canada, to settle on the crown lands, the reply will be, that the expense of transportation from New York to Canada would exceed the value of their possessions, and emigrants bound to Canada, generally take passage for Quebec. If, on the other hand, it is contended that many have returned to Europe, we are satisfied that the number is very trifling, and were not willing to work. Of Scotch there were 1942. This is a class of emigrants which are not idle in any part of the world.

There is in Delaware county, in this state, a very extensive and respectable Scotch settlement, particularly distinguished for making great quantities of good butter, and raising cattle. Of Swiss, there were 372. Considering that there is no maritime intercourse between this country and Switzerland, and that we cannot be familiarly known to these mountaineers, the number of emigrants is quite respectable. The Swiss, generally, are good farmers, and are a hardy, industrious, temperate race of people; and if our songs of liberty could reach their valleys, lakes, and glaciers—if they knew that they could raise the mountain grape, and feed their cattle in peace and tranquillity, we should find a greater number amongst us.

Of Welchmen we have 590, another class of temperate and excellent emigrants, peculiarly adapted to this country; and, to show how apt people are to choose for a residence, a country where habits and manners are similar to their own, in this annual batch of emigrants we have only 217 Spanish, and 54 Portuguese, most of whom are doubtless gone to the neighboring islands.

Our agricultural and manufacturing interest make it desirable to urge every species of emigration calculated to give these great national objects a judicious impulse, and the time is not distant when we shall have to look more closely into these matters.—[*Nat. Advocate.*]

Legislature of Tennessee.

Extract from the message of the governor of Tennessee, at the called session, on the 26th June, 1820.

I submit to the wisdom of the legislature, whether, amongst the measures of general benefit, to which your investigation will be called, it would not be of importance to consider, to what extent a law might be applied which would contain provisions directing, that valuable property of the debtor, under well digested limitations, and at a regulated discretion of the creditor, should be received in full satisfaction of the debtor.

From my past experience in observing the operations of a similar course, adopted by the general assembly of this state in the year 1809, as well as from the best conclusions which my mind is capable of drawing, by the appearance of things at this day, I am fully persuaded, that much good would result to the country generally, by extending the time in which payments can, by the present laws be forced, unless the creditor should, by his own voluntary act, make terms of accommodation, and, instead of cash payment, take from the debtor such valuable estate, either real or personal, as it may be in his power to give, and at such abatement, under its estimated value, as you may direct. A regulation bottomed upon these principles is usually termed a *property law*, and should be resorted to in cases of the highest emergency only. But as I conceive that a crisis has arrived when the public

welfare requires an extraordinary effort of promptness and decision, no public functionary should hold back, from proposing and supporting such measures, as, in his opinion, may lead in any degree, to an advancement of the common good.

Under a full sense of this obligation, and after a dispassionate examination of every circumstance which I have been able to collect, I would suggest to your honorable body, that a property law might be so formed as to secure much benefit for the country. Let it provide that, when property is levied on, for the purpose of compelling the payment of debts, the plaintiff and defendant shall have each the right of choosing one man of good fame and competent knowledge in the worth of property, and to them shall be given the power of selecting a third person to assist their judgment, should they not be able to agree in their estimate of the property levied on. Their valuation should be binding on the parties, but should not be predicated either upon the extravagant ideas which men entertained of property some three years ago, nor by the sum at which property generally would now sell if exposed to public auction. The property thus valued should be tendered to the plaintiff by the defendant in discharge of the debt, rating it at two thirds of whatever may be esteemed its intrinsic value, and the plaintiff should have it in his opinion to take the whole or a sufficient part, thus rated, in satisfaction of his claim.

Should he not think fit to receive the property, the defendant ought to be required to direct the levying officer to proceed to make sale at public auction, of so much as will be sufficient to raise the sum necessary to cover the plaintiff's demand, provided it will sell for an amount in current bank notes, equal at least to two thirds of its rated value. If the plaintiff objects against receiving the current bank notes, he must enter his protest to that effect previously to, or at the commencement of, the sale, and in that event, the defendant to avail himself of the privilege of prolonging the period of election, should execute his bond with approved security, payable to the plaintiff, in the currency originally stipulated for, in two years, and to bear interest from the date. In cases where the property of the defendant, thus offered, cannot, on each payment, be sold for two thirds of its value, it should be sold on a credit, extending to the end of the next stated session of the general assembly, the proceeds to be payable in specie, or in current bank notes, at the will of the defendant.

A due share of attention must be employed in fixing upon the mode whereby the sufficiency of securities should be tested, and on the course to be pursued, where reasonable objections may be shown to exist against persons proposed by either party in the valuation of their property; but, after you had settled on the basis of a system, the details necessary for carrying your views into operation, will not present many important difficulties.

It is not to be expected that legislative provisions can be made to reach every case of individual distress; many are beyond the influence of any general plan; their all has already been swept from them; and, in too many instances, the entire sacrifice of their estates has repaid but a small portion of its cost, and they are left encumbered with a debt so unequal to their strength, that they lose sight of its redemption, and sink under its pressure. Still there is much left to be done. The people should be made to see that those public agents, in whom they have put their trust, have not abandoned them in their affliction; mens' confidence in

each other's solvency will be restored; the thirst for purchasing at sheriff's sale will be allayed; treasures which are now hoarded up to be used in fattening on calamity, will be drawn out, and again circulated in the ordinary channels of useful industry, when the schemes of grinding oppression have failed.

Promotions and Appointments.

ADJ. AND INSP. GENERAL'S OFFICE,
20th May, 1820.

GENERAL ORDER.

Promotions and appointments, made in the army of the United States, since the publication of the register for January, 1820.

Ordnance department.

2d lieutenant John Symington, to be 1st lieutenant 17th May, 1820, vice Wilson, dismissed.

3d lieutenant Amos Woodward, to be 2d lieutenant, 17th May, 1820, vice Symington, promoted.

Corps of artillery.

Brevet major John Biddle, to be captain, 1st October, 1813.

Brevet major R. M. Kirby, to be 1st lieutenant, 23d March, 1818.

Second regiment of infantry.

Brevet major Charles J. Nourse, to be captain, 17th June, 1816.

2d lieutenant John Clitz, to be 1st lieutenant, 31st December, 1819, vice Wood, resigned.

Third regiment of infantry.

Brevet major Wm. McDonald, to be captain, 11th November, 1814.

1st lieutenant John Culbertson, to be captain, 16th March, 1820, vice Baker, promoted.

2d lieutenant Abram Musser, to be 1st lieutenant, 16th March, 1820, vice Culbertson, promoted.

2d lieutenant Horace Webster, to be 1st lieutenant, 5th April, 1820, vice Philips, resigned.

Fourth regiment of infantry.

Brevet major F. S. Belton, to be captain, 31st July, 1817.

Fifth regiment of infantry.

Lieutenant colonel Josiah Snelling, of the 6th infantry, to be colonel, 1st June, 1819, vice Miller, resigned.

Sixth regiment of infantry.

Brevet colonel John E. Wool, to be lieutenant colonel, 10th February, 1818.

1st lieutenant Alphonso Wetmore, to be captain, 25th December, 1819, vice Read, deceased.

1st lieutenant Thomas Staniford, to be captain, 1st March, 1820, vice Livingston, resigned.

2d lieutenant John Mansfield, to be 1st lieutenant, 25th December, 1819, vice Wetmore, promoted.

2d lieutenant Henry Taylor, to be 1st lieutenant, 1st March, 1820, vice Staniford, promoted.

2d lieutenant Zalmon C. Palmer, to be 1st lieutenant, 1st March, 1820, vice Ellison, resigned.

Seventh regiment of infantry.

Lieutenant colonel Matthew Arbuckle, to be colonel, 16th March, 1820, vice Brearley, resigned.

Major John Nicks, to be lieutenant colonel, 16th March, 1820, vice Arbuckle, promoted.

Brevet major Daniel Baker, captain 3d infantry, to be major, 16th March, 1820, vice Nicks, promoted.

2d lieutenant Richard D. Davis, to be 1st lieutenant, 15th February, 1820, vice M'Lean, resigned.

Rifle regiment.

1st lieutenant Thomas F. Hunt, to be captain, 20th May, 1820, vice Hichman, resigned.

2d lieutenant Samuel Shannon, to be 1st lieutenant, 23d February, 1820, vice Martin, dropped.

2d lieutenant Gideon Low, to be 1st lieutenant, 20th May, 1820, vice Hunt, promoted.

Appointments.

Colonel Henry Atkinson, of the 6th infantry, to be brigadier general, 13th May, 1820.

Henry Stanton, assistant deputy quartermaster general, to be deputy quartermaster general, 13th May, 1820.

John D. Ort, to be assistant deputy quartermaster general, 17th May, 1820.

E. H. Bell, surgeon, 8th infantry, to be post surgeon, 28th January, 1820.

Wm. H. Nicoll, surgeon's mate, 6th infantry, to be post surgeon, 28th January, 1820.

Robert French, to be post surgeon 12th April, 1820.

Chas. N. M'Closkry, to be post surgeon, 12th April, 1820.

James Cutbush, assistant apothecary general, to be post surgeon, 16th May, 1820.

Charles G. Foster, to be assistant apothecary general, 28th January, 1820.

Robert P. M'Calla, to be assistant apothecary general, 16th May, 1820.

Josiah Everett, post surgeon, to be surgeon, light artillery, 28th January, 1820.

Henry H. Macomb, to be 2d lieutenant, corps of artillery, 1st B. N. D. 28th January, 1820.

Thomas B. Tilden, to be 2d lieutenant, corps of artillery, 1st B. S. D. 28th January, 1820.

George Mountz, to be 2d lieutenant, corps of artillery, 4th B. S. D. 28th January, 1820.

Norman Holmes, to be 2d lieutenant, corps of artillery, 1st B. S. D. 28th January, 1820.

Hezekiah Garner, to be 2d lieutenant, corps of artillery, 2d B. S. D. 28th January, 1820.

John C. Goolrick, to be 2d lieutenant, corps of artillery, 4th B. S. D. 28th January, 1820.

James C. Hayward, to be 2d lieutenant, corps of artillery, 2d B. S. D. 28th January, 1820.

George C. Hutter, to be 2d lieutenant, corps of artillery, 4th B. S. D. 28th January, 1820.

Thomas J. Ayres, to be 2d lieutenant, 1st infantry, 28th January, 1820.

Wm. W. King, to be 2d lieutenant, 1st infantry, 28th January, 1820.

David Brooks, to be 2d lieutenant, second infantry, 28th January, 1820.

Carlos A. Waite, to be 2d lieutenant, 2d infantry, 28th January, 1820.

R. B. A. Tate, to be 2d lieutenant, 4th infantry, 3d March, 1819.

Joseph N. Clark, to be surgeon's mate, 4th infantry, 28th January, 1820.

Joseph Hare, to be 2d lieutenant, 5th infantry, 28th January, 1820.

John Bradley, to be 2d lieutenant, 6th infantry, 28th January, 1820.

Presly H. Craig, to be surgeon's mate, 6th infantry, 12th April, 1820.

John M'Cauley, to be 2d lieutenant, 7th infantry, 28th January, 1820.

Martin Burk, to be 2d lieutenant, 8th infantry, 28th January, 1820.

Mosby M'Daniel, to be 2d lieutenant, 8th infantry, 28th January, 1820.

Robert M. G. Walmsey, post surgeon, to be surgeon, 8th infantry, 13th May, 1820.

Charles Sloan, to be surgeon's mate, 8th infantry, 28th January, 1820.

John Clark, to be 2d lieutenant, rifle regiment 28th January, 1820.

Stephen Shea, to be 2d lieutenant, rifle regiment, 28th January, 1820.

R. V. McGuire, to be surgeon's mate, rifle regiment, 12th April, 1820.

TRANSFERS.

S. Donoho, captain of the corps of artillery, is transferred to the 4th infantry.

Brevet major J. A. Burd, captain of the 4th infantry, is transferred to the corps of artillery.

Brevet major Thomas Biddle, captain corps of artillery, is transferred to the rifle regiment.

Brevet lieutenant colonel Joseph Salden, captain of the rifle, is transferred to the corps of artillery.

The officers promoted will report for duty, according to their promotion. Those appointed have received special orders from this office.

By order,

D. PARKER, *adj. and insp. general.*

REPORT OF A BOARD OF OFFICERS.

The board of officers, consisting of major general Brown, brevet major general Scott, and lieutenant colonel Arbuckle, instituted by the general order of the 3d instant, to decide on the claims of certain officers of the general staff of the army of the United States, after an examination of the subject in its several relations, has the honor to make the following report:

By the law of March 3d, 1813, for the organization of the staff, it appears that the officers who were transferred from the line of the army to the performance of staff duties, were secured in their right of promotion, and in their lineal rank; their promotion was to "take place in the same manner as if they had not been thus transferred."

The law of 24th April, 1816, for the organization of the staff of the peace establishment, confirms to officers transferred from lineal to staff duties, "all the privileges secured to the staff of the army by the act of March 3d, 1813."

As the officers who claim their lineal rank on the authority of the preceding laws, do not appear to have made a voluntary relinquishment of it; on the contrary, as they have constantly asserted their claims to it, and as no evidence is adduced to show that they have been formally *dismissed*, the board is of opinion that those officers who were, at, and who have been since, the organization of the peace establishment, transferred from the line of the army to the staff, are entitled, and ought to be restored, to the lineal rank which they would now hold in their respective corps, had they not been thus transferred.

Philadelphia, 30th March, 1820.

Adj. and insp. gen's office,

May 20th, 1820.

GENERAL ORDER.

The above report of the officers, of which major general Brown was president, is approved; and, conformably thereto, John E. Wool, inspector general of the north division, is restored to the lineal rank of lieutenant colonel; to rank as such from the 10th of February 1818, above lieutenant colonel Leavenworth.

C. J. Nourse, assistant adjutant general, is restored to the lineal rank of captain in the 2d infantry; to rank from the 17th June, 1816, above captain Bailey.

R. M. Kirby, assistant adjutant general, is restored to the lineal rank of 1st lieutenant in the corps of artillery; to rank from the 23d of March, 1818, above lieutenant Dix.

F. S. Belton, assistant inspector general, is re-

stored to the lineal rank of captain in the 4th infantry; to rank from the 31st of July, 1817, above captain Gale.

Wm. McDonald, assistant inspector general, is restored to the lineal rank of captain in the 3d infantry; to rank from 11th of November, 1814, above captain Garland; and John Biddle, assistant inspector general, is restored to the lineal rank of captain, corps of artillery; to rank from the 1st of October, 1813, above captain Payne.

These officers will be arranged in their proper places in the line, and will fill vacancies accordingly.

By order,

D. PARKER, *adj. and insp. general.*

ADJ. & INSP. GEN'S OFFICE,

12th July, 1820.

GENERAL ORDER.

Promotions and appointments, made in the army of the United States, since the publication of the general order of the 20th of May, 1820, and the recent appointments in the subsistence department.

Corps of artillery.

Captain Wm. Wilson, to be major by brevet, to rank 3d May, 1818.

2d lieutenant Constantin M. Eakin, to be 1st lieutenant, 23d May, 1820, vice M'Ilvain, dismissed.

Fifth regiment of infantry.

2d. lieutenant Platt R. Green, to be 1st lieutenant, 27th March 1820, vice Gleason, deceased.

2d lieutenant John M'Cartney, to be 1st lieutenant, 3d May, 1820, vice Fisher, deceased.

Seventh regiment of infantry.

1st. lieutenant Daniel E. Burch, to be captain, 30th June, 1820, vice Bee, jr. resigned.

2d lieutenant Richard Walsh, to be 1st lieutenant, 30th June, 1820, vice Burch, promoted.

Appointments.

Lieut. Thomas J. Baird, of the corps of artillery, to be assistant commissary of subsistence, 11th February, 1820.

Lieut. Richard B. Lee, of the corps of artillery, to be assistant commissary of subsistence, 24th February, 1820.

Lieut. Thomas Childs, of the corps of artillery, to be assistant commissary of subsistence, 19th April, 1820.

Lieut. Saml. Keeler, of the 6th infantry, to be assistant commissary of subsistence, 14th April, 1820.

Lieut. Saml. Shannon, of the rifle regiment, to be assistant commissary of subsistence, 14th April, 1820.

Lieut. Gideon Lowe, of the rifle regiment, to be assistant commissary of subsistence, 14th April, 1820.

Cadet Stephen Tuttle, to be brevet 2d lieutenant, corps of engineers, 1st July, 1820.

Cadet Andrew J. Donelson, to be brevet 2d lieutenant, corps of engineers, 1st July, 1820.

Cadet Thomas E. Sudler, to be 3d lieutenant ordnance, 1st July, 1820.

Cadet W. H. Bell, to be 3d lieutenant ordnance, 1st July, 1820.

Cadet Wm. C. De Hart, to be 3d lieutenant ordnance, 1st July, 1820.

Cadet Francis N. Barbarin, to be 3d lieutenant ordnance, 1st July, 1820.

Cadet Robert S. Brooke, to be 3d lieutenant ordnance, 1st July, 1820.

Cadet Daniel D. Tompkins, to be 3d lieutenant ordnance, 1st July, 1820.

Cadet Wm. P. Buchanan, to be 3d lieutenant ordnance, 1st July, 1820.

Cadet James Chambers, to be 2d lieutenant light artillery, 1st July, 1820.

Cadet Benjamin Gorham, to be 2d lieutenant light artillery, 1st July, 1820.

Cadet George D. Ramsay, to be 2d lieutenant light artillery, 1st July, 1820.

Wm. T. Wolfe Tone, N. Y. to be 2d lieutenant light artillery, 12th July, 1820.

Edwin R. Albertie, Pen. to be 2d lieutenant light artillery, 12th July, 1820.

Wm. P. Young, Geo. to be 2d lieutenant light artillery, 12th July, 1820.

Cadet Edward G. W. Butler, to be 2d lieutenant corps of artillery, 3d B. S. D. 1st July, 1820.

Cadet John H. Winder, to be 2d lieutenant corps of artillery, 1st B. S. D. 1st July, 1820.

Cadet Samuel B. Dusenbury, to be 2d lieutenant corps of artillery, 4th B. S. D. 1st July, 1820.

Cadet Henry J. Peltus, to be 2d lieutenant corps of artillery, 2d B. S. D. 1st July, 1820.

Cadet Rawlins Lowndes, to be 2d lieutenant corps of artillery, 1st B. S. D. 1st July, 1820.

Cadet Lewis Morris, to be 2d lieutenant corps of artillery, 3d B. S. D. 1st July, 1820.

Cadet Joshua Barney, to be 2d lieutenant corps of artillery, 2d B. N. D. 1st July, 1820.

Cadet John M. Tufts, to be 2d lieutenant corps of artillery, 1st B. N. D. 1st July, 1820.

Cadet George F. Lindsay, to be 2d lieutenant 2d infantry, 1st July, 1820.

Cadet Edgar S. Hawkins, to be 2d lieutenant 3d infantry, 1st July, 1820.

Cadet Wm. S. Maitland, to be 2d lieutenant 3d infantry, 1st July, 1820.

Wm. Tolson, Md. to be 2d lieutenant, 3d infantry, 12th July, 1820.

Stewart Cowan, Ten. to be 2d lieutenant 3d infantry, 12th July, 1820.

Cadet Aaron B. Skinner, to be 2d lieutenant 5th infantry, 1st July, 1820.

Wm. E. Cruger, N. Y. to be 2d lieutenant 5th infantry, 12th July, 1820.

Cadet Thomas Noel, to be 2d lieutenant 6th infantry, 1st July, 1820.

Cadet Thomas M'Arthur, to be 2d lieutenant 6th infantry, 1st July, 1820.

Cadet Wm. Morris, to be 2d lieutenant 6th infantry, 1st July, 1820.

Augustine J. Monroe, Va. to be 2d lieutenant 6th infantry, 12th July, 1820.

Cadet Nicholas Cruger, to be 2d lieutenant 7th infantry, 1st July, 1820.

Cadet Charles Guerrant, to be 2d lieutenant 7th infantry, 1st July, 1820.

John B. Pendleton, N. Y. to be 2d lieutenant 7th infantry, 1st July, 1820.

Cadet Samuel M'Ree, to be 2d lieutenant 8th infantry, 1st July, 1820.

Edward Polk, Md. to be 2d lieutenant, rifle regiment, 12th July, 1820.

Sion F. Spencer, Va. to be 2d lieutenant rifle regiment, 12th July, 1820.

Wharton Rector, Missouri, to be 2d lieutenant rifle regiment, 12th July, 1820.

The officers promoted will report for duty, according to their promotions. Those appointed have received special orders from this office.

By order, D PARKER, *Adj. & insp. gen.*

Foreign Articles.

GREAT BRITAIN AND IRELAND.

From *London papers to the 16th of June.*
England has been thrown into a great uproar by

the arrival of the queen—she demands a *public* investigation of her conduct. The populace ardently take part with her, and consider her an injured woman.

She was met in France by her legal adviser, Mr. Brougham, and by lord Hutchinson, on the part of her husband—the latter for the purpose of proposing terms to prevent her landing in England. The meeting was held at St. Omer's. Lord Hutchinson was introduced; but it was required that what he had to say should be committed to writing; and accordingly he addressed the following note to Mr. Brougham:

"SIR—In obedience to the commands of the queen, I have to inform you that I am not in possession of any proposition or propositions, detailed in a specific form of words, which I could lay before her majesty; but I can detail to you, for her information, the substance of many conversations held with lord Liverpool. His majesty's ministers propose that 50,000*l.* per annum should be settled on the queen for life, subject to such conditions as the king may impose. I have also reason to know that the conditions likely to be imposed by his majesty are, that the queen is not to assume the style and title of queen of England, or any title attached to the royal family of England. A condition is also to be attached to this grant, that she is not to reside in any part of the United Kingdom, or even to visit England. The consequence of such a visit will be an immediate message to parliament, and an entire end to all compromise and negotiation. I believe that there is no other condition; I am sure none of any importance. I think it right to send to you an extract of a letter from lord Liverpool to me: his words are—'It is material that her majesty should know confidentially, that if she shall be so ill-advised as to come over to this country, there must then be an end to all negotiation and compromise. The decision, I may say, is taken to proceed against her as soon as she sets her foot on the British shores.' I cannot conclude this letter without my humble though serious and sincere supplication, that her majesty will take these propositions into her most calm consideration, and not act with any hurry or precipitation on so important a subject. I hope that my advice will not be misinterpreted. I can have no possible interest which would induce me to give fallacious counsel to the queen. But let the event be what it may, I shall console myself with the reflection, that I have performed a painful duty imposed upon me, to the best of my judgment and conscience, and in a case in the decision of which the king, the queen, the government and the people of England, are materially interested. Having done so, I fear neither obloquy nor misrepresentation. I certainly should not have wished to have brought matters to so precipitate a conclusion; but it is her majesty's decision, and not mine. I am conscious that I have performed my duty towards her with every possible degree of feeling and delicacy. I have been obliged to make use of your brother's hand, as I write with pain and difficulty, and the queen has refused to give any, even the shortest delay.

I have the honor to be, sir, with great regard,
your most obedient humble servant,
HUTCHINSON."

When this was presented to the queen, she expressed the utmost indignation thereat, and resolved immediately to set out for England. She had been waited upon at St. Omer's by many distinguished persons—among them alderman Wood, who appears to have espoused her cause very warmly.

ly, and to possess a large share of her confidence. When she arrived at Dover, all was bustle and confusion. She was received with shouts of applause by an immense crowd of people, and with a royal salute. Her firmness in taking this step was universally admired. Her progress to London was like a triumphal march. In every town and village through which she passed, the very "chimney tops" seem to have been crowded with persons anxious to behold her, and she took every opportunity that she could to gratify them. In several instances, the horses were taken from her carriage, and she was drawn great distances by the people.

She proceeded to alderman Wood's house in London. All the neighboring streets were filled with people, huzzaing and crying out, "God save queen Caroline!" They made every one that passed through the street take off his hat in honor of her. She repeatedly shewed herself at a front window of the house, at the call of the populace, who, after some time, were requested, in her name, to retire peaceably—they did retire, but parties of them proceeded to the houses of lords Sidmouth and Castlereagh, and several others, and deluged them with showers of stones. A strong party of the guards was posted at her husband's residence during the whole day, yet his house was stoned. On the next day, she caused the following message to be presented to the house of commons:

"The queen thinks it necessary to inform the house of commons, that she has been induced to return to England, in consequence of the measures pursued against her honor and peace for some time by secret agents abroad, and lately sanctioned by the conduct of the government at home. In adopting this course, her majesty has had no other purpose whatsoever but the defence of her character, and the maintenance of those just rights which have devolved upon her by the death of that reverend monarch, in whose high honor and unshaken affection she had always found her surest support. Upon her arrival, the queen is surprised to find that a message has been sent down to parliament requiring its attention to written documents; and she learns with still greater astonishment, that there is an intention of proposing that those should be referred to a select committee. It is this day fourteen years since the first charges were brought forward against her majesty. Then, and upon every occasion during that long period, she has shown the utmost readiness to meet her accusers, and to court the fullest enquiry into her conduct. She now also desires an open investigation, in which she may see both the charges and the witnesses against her—a privilege not denied to the meanest subject in the realm. In the face of the sovereign, the parliament and the country, she solemnly protests against the formation of a secret tribunal to examine documents, privately prepared by her adversaries, as a proceeding unknown to the law of the land, and a flagrant violation of all the principles of justice. She relies with full confidence upon the integrity of the house of commons for defeating the only attempt she has any reason to fear. The queen cannot forbear to add, that even before any proceedings were resolved upon, she had been treated in a manner too well calculated to prejudice her case. The omission of her name in the liturgy, the withholding the means of conveyance usually afforded to all the branches of the royal family, the refusal even of an answer to her application for a place of residence in the royal mansions, and the studied slight, both of English ministers abroad, and of the agents of all

foreign powers over whom the English government had any influence, must be viewed as measures designed to prejudice the world against her; and could only have been justified by trial and conviction."

On the 6th, the following message was received by both houses from the king—

"George, R.

"The king thinks it necessary, in consequence of the arrival of the queen, to communicate to the house of lords certain papers respecting the conduct of her majesty since her departure from this kingdom, which he recommends to the immediate and serious consideration of the house.

"The king has felt the most anxious desire to avert the necessity of any disclosure and discussions, which must be as painful to his people, as they can be to himself; but the step now taken by the queen leaves him no alternative.

"The king has the fullest confidence that, in consequence of this communication, the house of lords will adopt that course of proceeding which the justice of the case, and the honor and dignity of his majesty's crown may require."

In the house of lords a motion prevailed, by a majority of 79, to appoint a *secret* committee to investigate the conduct of the queen: but in the house of commons, no decisive measure was adopted—the subject having been postponed, to allow a few days for deliberation. The case between the king and his wife is now fairly at issue—neither can recede with honor; it is probable that the queen will be proceeded against with great rancor and severity on the one side, and be supported with as much zeal and feeling on the other. What is to grow out of this affair, we cannot imagine—but if she can rally round her some of the leading men of England, the people, ready for any change, will take up her cause, and great events may occur. Her demand for a *public* trial must needs be exceedingly popular, as it manifests a confidence in her own integrity; and the mass of the society of every country is always ready to resist what appear to be persecution, if at liberty to act. The king, certainly, has no right to complain of the incontinency of his wife, even if she is guilty, or that the lately deceased Charlotte was not his daughter—as, it is said, he always believed and constantly avowed, until "reasons of state" induced him to acknowledge her as such.

On the 12th of June, lord Holland gave notice to the lords, that he should introduce a bill for the repeal of the "royal marriage act."

The following are the names of the committee of the house of lords appointed to examine into the affairs of the queen:—The archbishop of Canterbury, the lord chancellor, the lord president, the duke of Beaufort, marquis of Lansdowne, marquis of Buckingham, earl of Liverpool, earl Beauchamp, lord viscount Sidmouth, bishop of London, lord Redesdale, lord Erskine, and the earl of Lauderdale.

A letter from Liverpool, dated 1st June, says—"The queen will get through her difficulties without public disclosure, though the terms are not yet known."

The following may serve as a specimen of the addresses to the queen, which was delivered to her at Canterbury:

"We his majesty's dutiful and loyal subjects, the mayor, alderman, sheriff, and common councilmen of the ancient city of Canterbury, beg leave most respectfully to approach your royal presence with our sincere and hearty congratulations on your majesty's safe arrival in this city—and to express our

fervent hope that your majesty may long live in the esteem and admiration of a loyal and dutiful people.

5th June, 1820."

Her majesty immediately delivered the following most gracious answer:

"Gentlemen—I am very much obliged to you for the attention you shewed me, and certainly, if it is ever in my power, I shall be happy to do any thing for the good town of Canterbury, and make my people happy. Gentlemen, you must excuse this short address, as I am very tired, but I speak from my heart, and I am sure you will like that better than a formal address. I shall never forget the loyalty and affection that are shown to the house of Brunswick by this noble and generous nation."

The right honorable Henry Grattan, the celebrated statesman, died on the 4th June. With his latest breath, he expressed a wish that he might be conveyed to the house of commons, that he might die like the immortal Chatham.

Banking! The marquis of Lansdowne, in a speech delivered on the 2d of June, mentioned the circumstances of a bank having failed, in the south of Ireland, in the sum of about 300,000*l*, which it was supposed would not be able to pay one shilling on the pound. The editor of the London Times says, he is not an advocate for increasing the number of penal statutes; but he should not be sorry if a law were enacted, declaring parties, in such transactions, to be guilty of something more than insolvency.

Mr. C. Wayte, the king's furrier, in Panton-street, has proposed to the Hope office an increased insurance of 6000*l*. in addition to his stock, in consequence of his having to prepare all the ermine for his majesty's coronation robes.

The ship owners of London, have petitioned parliament against the freedom of trade.

The *New Times*, of the 24th May, says, that the *Mechanic*, from Virginia, is the only American vessel now in the port of London: and that a similar occurrence has not happened since the conclusion of the war between the two countries.

Silver, which a few months since was so scarce that the greatest inconvenience to trade was the consequence, is now become quite a drug in some parts. At Plymouth, where about 50,000*l*. is annually circulated through the dock-yard, cash payment, so long desiderated, is become quite the order of the day.

The navy. The house of commons have voted the sum of £1,956,566 for the navy service the present year.

Infamous acknowledgement. A free pardon is stated to be making out for *Edwards, Adams, Monument*, and *Dwyer*, for any treason committed prior to the 23d of February.

Sir F. Burdett. In the court of king's bench, sir F. Burdett has obtained a rule to shew cause why the verdict in his trial, should be set aside.

Stocks, June 12. 3 per cent consols. 68 5-8. Wheat, average, 70*s* 1*d*. per quarter.

Price of American flour at Liverpool, June 5, 2*l*. to 2*l*. 4*s*. per bbl.

The British ports are now open for the importation of wheat and flour, oats and peas, from the British colonies and plantations in North America.

The house of commons, after debate, had agreed to a motion to enquire into the embarrassments of agriculture, with a view to their relief. This was unexpected, both by the ministry and the mover. It excited a panic among the mercantile and manufacturing interests. It was apprehended it would

result in raising still higher the excluding price of corn.

A loan of twelve millions of pounds sterling has been demanded by the ministers, to meet the expenses of the year!

British finances. If we are to believe the London Times, (the leading opposition paper) the almost insupportable debt of the British nation, is rapidly accumulating, notwithstanding the state of universal peace and repose. We are now, says the Times, adding more to the national debt annually, than we did at the beginning of the war under Mr. Pitt's administration. We are now also adding more to a national debt of 800,000,000*l* than we were then adding to a debt of 240,000,000*l*; and the money to pay this accumulating interest is now to be taken from an exhausted people, which at the beginning of the war was drawn from a population comparatively wealthy and at ease. In March, 1793, Mr. Pitt supplied the deficiency of the ordinary ways and means by a loan of 4,500,000*l* and the issue of 4,000,000*l* of exchequer bills. We this year fund, or add to the affixed debt, 7,000,000*l* of exchequer bills, (not, we fear, long to leave the market so far bear of that commodity); and we borrow, as may hereafter be wanted, five or seven millions; one sum being half a million, and the other 2½ millions, more than we borrowed in the year 1793; and we besides appropriate 12 millions of the sinking fund. In 1796, the third year of the war, we contracted a debt of 18,000,000*l*. In 1820, the fifth year of the peace, we borrow 12,000,000*l* from the sinking fund, and between 5 and 7 millions from the contractors, making between 17 and 19 millions: in one case, but one million less, and in the other a million more, than in 1796. Where will this system have an end?

The minister has given notice in the stock exchange, that he may require a loan of £12,000,000. Seven of which he will take in the five per. cents. giving 1.90 five per cents. for 7.100 exchequer bills, reserving to himself the right of raising five millions subsequently; but the public will recollect, that he must also borrow sixteen millions from the sinking fund, namely:

7 millions funding of exchequer,
5 do. loan,
16 do. sinking fund,

— 28 millions—Total loan to be raised this year.

We may only take twelve millions of the sinking fund, as last year, but then he must borrow four millions by new exchequer, (in the year), for he has no real sinking fund at present, nor can he have any, unless the revenue improve; and whether he will get the seven millions subscribed, entirely depends on the price of the funds up to the second of June. For instance, at £104½ five per cents. the profit, (taking the exchequer bills at 10*s*. premium) would only be about ¾ per cent.; therefore, if the price of the five per cents. should get to £104, nobody will of course fund, because there would be little or no profit, and he would be obliged to have recourse to an open loan; consequently, this great financial measure is entirely at issue on a trifling fall of five per cents.—as one-half per cent. fall would put an end to the proposed expedient.

Liverpool petition respecting the navigation laws. On the 12th of June, in the house of commons, gen. Gascoyne said, he held in his hand a petition from certain merchants, ship-owners, and ship-holders, of Liverpool, which, to a certain extent, differed from the petition which he presented from that place a few days ago. The present petitioners

prayed that no alteration should be made by any further relaxation of the navigation laws. They prayed further, that no relative alteration should be made in the imposition of duties on colonial and foreign timber. As an honorable member for the city of London had given notice of an intended motion on the subject, he should postpone the discussion of the question until that more appropriate occasion. Sir I. Coffin observed, that the statement of the petitioners was quite incorrect. Instead of the timber, as they alleged, being colonial, and which was imported into this country from Quebec, the fact was that such timber was the growth of the north-west part of the province of New-York. He had himself written to lord Bathurst on the subject, for such was the effect of that trade between our American colonies and the U. States, that in the late war our colonies were wholly drained of silver. The sooner a duty was put on the importation of that timber the better. We had by the preference given to that trade lost a good customer in Russia and the other northern states.

General Gascoyne said that, as far as the knowledge of his constituents went, they believed the timber imported from the British American colonies to be their growth. It is also to be recollected that the return sent from this country in payment of that timber was in salt, to the value of 40,000*l*. The petition was laid on the table.

From *Walsh's National Gazette*. The distress among the occupiers and owners of land in England would seem to be excessive, and beyond all precedent in that class of subjects. Mr. Stuart Wortley, a distinguished member of parliament, in presenting a petition from the inhabitants of a number of populous villages in the West Riding of Yorkshire, made the following remarks: "He begged leave to observe, that the petition came from a body of people, than whom no men in the kingdom were more ready to support the present order of things. The petitioners stated, that the pressure of distress, arising from want of labor, was great without example. This fact they could not prove more clearly than by referring to a recent investigation of the distresses in their parish, from which it appeared, that out of 8,000 persons, 7,000, after having paid their rent, received only eleven pence half-penny per week. From this it was evident that the greater part of the population were in a state of absolute pauperism."

The manufacturers are, if possible, in a worse condition than the agriculturists. The petition from Birmingham, laid before the house of commons on the 12th of May, unfolds a scene of unparalleled distress. To illustrate the state of things in that city, a member of the house from its neighborhood, made this statement: "In the first four months of the year 1818, the slaughter of animals for the supply of the town of Birmingham, amounted to 5,147 beasts, including cows and oxen. In the corresponding four months of the present year, the number of cattle slaughtered was 2,703. This circumstance, he hoped, would have its full weight on those who imagined that they could procure high prices for agricultural produce, without giving to the manufacturer the means of purchasing it. The diminution in the slaughter of sheep bore the same proportion to that of cattle. In the first four months of 1818, the number of sheep slaughtered was 11,479, and in the corresponding four months of the present year it was reduced to 6,216.

FRANCE.

Louvel, the assassin of the duke de Berri, was executed on the 7th of June:

The execution passed over quietly—but soon after many people paraded, crying "the charter for ever—long live the emperor!" They were dispersed by the military, and order was restored. There is a manifest controul of the press in giving an account of these things, and the extent to which they proceeded is not to be ascertained from the journals. Some persons were arrested for trial.

Paris is in a very unquiet state, and alarming tumults have taken place. They originated in consequence of the debates upon the election law. The debates continued to run high. The liberales complain that the troops have been called out to disperse the people. M. de Girardin said, such a spectacle he had not before witnessed for thirty years. Paris, he said, resembled a captured city; troops stationed in various quarters, and posts fixed for their attendance. He felt assured that the exasperation had been excited by the appearance of the regular force. On the other hand, it was said that the conduct of the military had exhibited great moderation. The groups that had been dispersed, were shouting "long live the emperor." One or two lives had been lost. Frequent skirmishings had taken place in the public places, between groups of royalists and liberales. The weapons used were generally canes, and sticks with ferrules, and the wounded were numerous. Many arrests have taken place.

The "election law" is furiously debated in the chamber of deputies. The liberales say it is an outrage on the charter. The chamber is very much like a mob—such as was the national assembly, in the early periods of the revolution. Associations are forming called "*patriotic*," and the police is exceedingly vigilant. The chamber of deputies have had their guard doubled, and large quantities of troops are kept ready for immediate service. They have had several slight contests with the people. No small degree of alarm prevails, and great anxiety is manifested for the result of the present state of things. It is believed that something serious is brewing. We expect mighty events, before Europe can settle down into peace—when, or where, or how they are to commence, we cannot venture to predict. The king's palace was surrounded by more than a thousand soldiers, prepared for battle.

The following may serve to shew the *spirit* of the debates on the elections in the chamber of deputies: An amendment proposed by M. Boin, tending materially to modify the tenor of enactment in the original *projet*, was adopted by a majority of 119. It was insinuated by a speaker of the *Cole Gouche*, that this amendment emanated from the ministers, who, seeing the necessity of yielding in some points, had secretly negotiated its being proposed. This was distinctly denied by the keeper of the seals, in the name of himself and colleagues. In the course of the discussion, some acrimonious digressions took place. M. de Girardin apostrophized the law as "hideous in the eyes of the nation: it inspired universal horror because it had been already baptized with blood. [*Murmurs*.] M. de Teyssers demanded the adjournment of the discussion, until justice should be rendered to the national representation for the injuries it had sustained. The law, he vehemently declared, is an outrage to the charter and is held in abhorrence throughout France. One hundred thousand citizens in vain demanded the maintenance of the law of the 3d of Feb. 1817. You know the result. *Men in disguise have assaulted the deputies and knocked down citizens. Have the guilty been seized? Doubt-*

less some of them are considered to have acted in a becoming manner. It is thus, as at Lyons, aggressions remain unpunished. The police introduced the troops.—[Here he was interrupted by loud clamors, and cries of—*speak to the amendment.*]

M. D'Argenson. "*The speaker is in order: he has a right to notice the massacre which has taken place, of peaceable subjects*"

M. Laflitte. "*I have it in my power to prove it.*" [A voice on the left—"civil war and assassinations are preparing."

NETHERLANDS.

A Brussels paper says—"the foreigners who wrote for one of the journals of this city, and who have been ordered to leave the kingdom, have been sent away with an escort."

SPAIN.

At Madrid, on the night of the 18th of May, or on the following morning, several individuals were taken up, on suspicion of being concerned in a plot against the constitutional system. A list of the prisoners is handed about: they are members of several religious orders, besides a commissary of war, and other persons.

Blood, it is said, has been shed at Saragossa. The arrival of the new captain general, who was sent to replace the marquis de Lazan, excited some commotions. Battles were fought in the streets, and several persons lost their lives. The troops with difficulty restored order.

A circular of the minister of finances notifies all concerned, that the exemption from *all duties* lately granted to the importers of books, be extended to the importers of printed music.

A royal decree of the 2d May, directs, with the full approbation of the provisional board, a negotiation to be opened for a loan of two millions of dollars, within the kingdom, in shares of 200, 400, and 600 dollars, bearing an annual interest of ten per cent. and to be re-imbursed in two instalments of eight and fourteen months, reckoning from the 30th inst.; the whole of the public revenue, and especially the taxes known by the denomination of *El Noveno*, *Excusado*, and *Tercias Reales*, being mortgaged for the payment of both principal and interest.

A decree of the 15th May, after a preamble stating, that the public tranquility is endangered by the presence of the members of the ordinary cortes, who signed the manifesto of the 12th of April, 1814 (*against the constitutional system*), directs them to be confined in the convents of their places of residence until the meeting of the legislature, with the exception, however, of such of them as are invested with the episcopal dignity.

Madrid, May 16.—The official Gazette of this day publishes the answers sent by the foreign courts to the notification of the king's acceptance of the constitution of the cortes.

The ambassador at the court of France announces, that, on presenting to the king of France the letter written by the king of Spain, his most Christian majesty said, that "he was persuaded that the king, his cousin, had done what he had conceived to be most suitable to the happiness of his people, and that he anxiously hoped he would obtain the object of his wishes."

The king of England has made the following answer, which the Gazette publishes at length:—

"Sir, my brother—I have read the letter which your majesty has addressed to me, for the purpose of notifying to me, that, in pursuance of the wishes manifested by your people, you had thought proper to acknowledge and swear to the political con-

stitution promulgated at Cadiz in the year 1812. I receive this communication of your majesty as a testimony of your friendship, and I pray your majesty to be assured of the sincere interest I feel, on all occasions, in the well-being and prosperity of the Spanish nation, as well as in the stability and honor of your crown. I seize this occasion to renew to your majesty the assurances of the real esteem and perfect friendship with which I am, sir, my brother,

"Your majesty's good brother,

"GEORGE R.

At Carlton-palace, April 21, 1820."

The ambassador at the court of Saxony reports, that the king of Saxony "observed with the greatest grief the events which had preceded this measure, and the painful situation in which the government had been placed; but that he now learns with particular satisfaction the proofs of love and attachment which his Catholic majesty has received from his people in this crisis."

The other sovereigns, whose replies are mentioned, are the king of Bavaria and the king of the Netherlands. They are described as being nearly similar to that of the king of England. The federal directory of the Swiss cantons has also congratulated Ferdinand upon his acceptance of the constitution.

Spanish naval officers.—The officers of the Spanish navy at Cadiz, among them some of the highest in rank, have presented a highly complimentary address to Ferdinand, on the occasion of his swearing to the constitution, and evincing himself the friend of liberty and of the people; among other things they say:

"By swearing to the great national charter, by rendering this homage to reason and to justice, your majesty has excelled the actions of all the Ferdinands, so grateful to our memory. If, under Ferdinand Gonzalez, Castile was first distinguished in the peninsula, under Ferdinand the 7th she begins to act her part in Europe, and throughout the universe—If she was erected into a kingdom by Ferdinand the great, by Ferdinand the VII. she has been rendered a free nation, the greatest nation in the known world.

If St. Ferdinand gave her general laws, without which society cannot properly exist, Ferdinand VII. has given her a constitution which renders the laws stable, and leads the monarch to justice, and the people, by secure paths, to happiness. If the anti-evangelical and anti-social inquisition, the destroyer of learning and of talents, darkened the great deeds and glory of Ferdinand the Catholic, Ferdinand VII. has abolished it forever, tho' forever its sad remembrance will remain, and has thus presented to us a solid basis for those benefits which will signalize his reign. As an ephemeral tranquility only, was enjoyed under Ferdinand the VI. inasmuch as it depended upon the will of a single individual, therefore Ferdinand VII. by calling all Spaniards around him, by restoring to them their imprescriptible rights, and by swearing in good faith, to accept of the agreeable employment of rendering them happy, has consolidated and consecrated their prosperity, as has the nation his person.

Behold, sire, what a splendid laurel, what a noble palm will crown the auspicious name of Ferdinand—Believe, sire, that our joy is legitimate; that our congratulations are cordial.

The descendants of thousands of Spaniards who in Cobadonga fought under the banners of Pelayo, for more than a thousand years have loyally obeyed

his successors; twenty millions of Spaniards in both hemispheres swear to support your majesty as constitutional king, and obey you cheerfully, and will cause their children to obey and respect the successors of your majesty for an indefinite series of ages—We, the officers of the national navy, who by our profession are compelled to plough the vast ocean in every quarter, will carry from pole to pole (for the Spanish dominion extends nearly from one to the other) the name and glorious actions of your majesty, together with the faithful testimony of our adhesion to your sacred person, and the fervent desire of our constant gratitude and profound respect.

Norfolk, July 10. Our last letters from Spain inform us that the message of the president to congress, recommending a suspension of hostile proceedings against Florida, in consequence of the embarrassments of the Spanish government, has gone the rounds of the Spanish papers (which are now free even to licentiousness) with comments, in every instance, highly honorable to the magnanimity of Mr. Monroe, whom the Spaniards, in the fullness of their joy, declare (says our correspondent) "*has a soul, and though a heretic, may get to heaven!*"—Nevertheless, we are given to understand that in the midst of their acknowledgements of his forbearance in this instance, they do not forget to ascribe it in some degree to the extraordinary and pressing interference of his imperial majesty, the emperor of Russia; and in truth, facts seem to justify this conclusion—Not satisfied with recommending to our government through its minister at his own court, to exercise forbearance and moderation towards Spain, and preaching with puritanical simplicity the cause of "peace and concord," but for fear his friendly admonitions might be forgot, he orders the same sermon to be preached in duplicate, by his minister at Washington, and afterwards in triplicate to the American minister at Madrid. This is acknowledged to be a most righteous act of friendship on the part of the emperor, but the officious repetitions of it looks like being friendly overmuch, and as if there was a lurking disposition underneath to do something more than *recommend*, if his advice was not taken.

PORTUGAL.

We have a paragraph stating the probability of the end of the reign of the house of Braganza, and the exaltation of that of Cadaval—believed by many to be the rightful heir of the throne, and much persecuted by the former.

ITALY.

A letter from Rome says, that before the queen of England left Pesaro, a deputy from the republic of St. Marino, presented her the congratulations of the republic, on her accession to the throne.

GERMANY.

Sandt, the assassin of Kotzebue, has at length been executed. He died with astonishing firmness and composure, as he said, "for his country." In consequence of the wounds which he inflicted on himself it was with great difficulty that his life was sustained during his long imprisonment of 15 months. Yet no disclosures by him are mentioned. A great number of the students of Heidelberg steeped their handkerchiefs in his blood, when he was beheaded; and he seems to have been regarded as a martyr.

Hamburg is very unhealthy—8000 persons were said to be indisposed.

"German papers state, that at the April fair, at Leipzig, the quantity of English goods there may be inferred from the fact that 40,000 cwt. of Eng-

lish yarns and calicoes have come by way of Lüneburg alone to Leipzig for this easter fair. A still greater quantity of other goods, for instance hardware, japanned articles, &c. goes down the Elbe to Magdeburg, and so to Leipzig; a single house here has now received 300 cwt. of English tin (or japanned) goods, which still maintain the superiority over the German. One Hamburg house alone made sales of English goods to the amount of 130,000*l.* The fair also passed off without any important bankruptcy, from which it would appear, that the favorable change in the German markets is not the result of occasional speculation, or overtrading; but the natural consequence of the general recovery of the continent of Europe.

The agents of the German merchants and manufacturers in the memorial which they have addressed to the congress at Vienna, insist on the necessity of calling together a general congress of the European merchants; they desire that they may have granted to them, for six years only, the monopoly which their rivals have enjoyed for ages, and they hope that in this short period they shall acquire sufficient strength to maintain the competition with all nations; they especially demand, that, to promote the interest of the German manufacturers, prohibitory measures may be adopted against England."

Mr. Rothschild has concluded a loan with the Austrian government, and was so well pleased with it that he gave certain of his clerks 150,000 florins, for their agency in this business.

SWEDEN.

A Stockholm paragraph states that the king has been pleased to consent that the ships of the United States of North America, laden with the natural produce or manufactures of the West Indies, shall come here without paying higher duties than Swedish vessels; but upon condition that Swedish vessels laden with the produce or manufactures of the countries on the Baltic shall enter the ports of the United States without paying higher duties than American vessels.

RUSSIA.

The emperor of Russia, in his anxiety to encourage the national manufacture of printed calicoes, published a ukase on the 24th of March, increasing the duties upon the importation of colored goods.

TURKEY.

Revolt of Ali Pacha.—According to information received at Venice, by a vessel from the Ionian Islands, which left Corfu on the 26th of April, it appears that Ali Pacha, of Albania, had been called to Constantinople, by the grand vizier, to account for his conduct; but that he had refused to obey the summons, and had raised the standard of revolt against the Porte. It was added, that both Greeks and Turks had taken the oath of allegiance to him, and that he was at Prevesa, organizing his army. It was reported at Corfu, that Ali had declared himself king of Epirus, and that to attach to his interests the Greek population, which is by far the most numerous in his states, he had caused himself to be baptized.

EAST INDIES.

The boat of the brig *Salamanca*, in going through the Sunderbunds of Buckergunge, in August last, when pulling up, 20 feet from the jungle on the margin of the river, and being about 50 feet from the brig, a tiger leaped into the boat, seized the man pulling at the bow oar, and in one spring, with the man in his mouth, again reached the jungle. The tiger made not the least noise when he sprang into the boat. — *London paper.*

SANDWICH ISLANDS.

It is stated, that the new sovereign of these islands has destroyed the whole system of idolatry, and burnt the temples, idols, &c. It was feared that the death of the old king would throw obstacles in the way of the missionaries, but it has happily otherwise resulted, and the mission family who recently sailed from Boston, probably arrived at the very moment when the people were best prepared to receive the glad tidings of salvation. These islands will probably soon conform, like the Society Islands, to the external forms of Christianity, and introduce among them the arts of agriculture and of civilized life. The kingdom of darkness is truly tottering to its fall, and the day is approaching when the "knowledge of God shall cover the earth."

Boston paper.

BARBARY.

The plague prevails in several cities in Barbary; but others are quite healthy. At Fez, the deaths by this terrible disease, are from 30 to 40 per day—at Oran, 50, at Magadore, 10. It seems to be peculiarly hard upon the Jews, who are numerous in these countries.

CANARA.

Very extensive and important fortifications are now in progress at Quebec—400 men are daily employed in mining and preparing the site of a very strong work which is to crown that already formidable fortress.

SOUTH AMERICA.

A letter to the editor of the REGISTER, dated at St. Thomas' July 8, informs that the constitution of the cortes had been proclaimed in all the islands and places on the Maine, in possession of the royalists—and that it was difficult to ascertain what proportion of those who have adopted the constitution are attached to the cause of independence. That there was a deputation at St. Thomas' on their way to Angostura, sent by Morillo and the cabildo at Caraccas, under directions from the government of old Spain, to treat with the independent government. It was said they had power to grant the patriots every thing short of independence—to retain all the officers in their respective grades, &c. and that, if their propositions are agreed to, Morillo and his army would leave the country, &c. These deputies first went to Bolivar's head quarters, but he would not receive them, saying that his military operations could not be suspended; but he suggested that they should proceed to Angostura, and make their terms known to his government, which they are now about to do.

Bolivar's army is said, in all, to amount to 20,000 men, well disciplined. That of Morillo is reported at only 6,000.

Gen. Devereux is at last said to have reached Margaretta. The affair at Rio de la Hache appears to have had a miserable result for the patriots. They were forced to abandon the place in great haste, and some of them have arrived at Jamaica in a wretched plight.

Two patriot privateers, owned at St. Bartholomew's, have been captured and sent to Martinique, by the French frigate, La duchess d'Angouleme.

CHRONICLE.

The *Columbus 74*, arrived at Gibraltar on the 4th of June, all well. The *Guerriere* was also at that port, but her officers were not permitted to come on shore on account of the late quarrels.

Died, lately in Duplia county, North Carolina, Col. Wm. Dickson, a native of Pennsylvania, in the

82d year of his age, but for 76 years a resident of N. C. He was a meritorious officer of the revolution, and filled many honorable civil appointments.

—, suddenly, at Lancaster, Pa. *Michael Gross, Esq.* an active whig in the "times that tried men's souls." After dinner he laid down to take a nap, and expired without a struggle. He was in his 73d year.

At the dinner in honor of the fourth instant, at Georgetown, in Kentucky, the head of the table was occupied by *Nathan Young*, aged one hundred and eight years, who had been a soldier in Braddock's defeat, and fought in the battles of his country throughout the revolutionary war.

Toasts drank at Boston on the late anniversary—The army of the United States—May all invaders meet the fate of Packingham, and be sent packing off.

America!—"trail arms." Great Britain!—"ground firelock." France—"as you were." Spain—"Wheel to the right." Freemen—"display column." Tyrants—"take distance." South America—"close to the front;" "forward march;" "halt." Nations of the globe—"order firelock;" "stack arms;" "rest."

Lewis, the robber, mentioned in our last, and who has been called the "Pennsylvania Abzolino," has died of the wounds which he received when he was taken.

Santiago. Having noticed the capture of the Spanish ship Santiago, on her passage from Cuba to Baltimore, as probably within the jurisdiction of the United States, by the patriot privateer Wilson, alias Bolivar, a very short time after the latter vessel had left Norfolk, it is right that we should notice a long article in a late Charleston paper, signed "J. Weeden, surgeon of the brig Wilson," relative to that capture—the amount of which is as follows: That the Santiago was bound to Baltimore to be fitted to proceed to the coast of Africa for slaves, from whence she had just returned with 450 human beings—that she belonged to Juan Jaques Bonne, of St. Jago, as her papers said—that she was captured in nineteen fathoms water, and out of the jurisdiction of the United States—that those of her crew who were detained were held only as witnesses for her trial at Margaretta, &c. making a very different story of the matter; and, if true, rendering the capture estimable in our eyes, much opposed as we are to privateering from the ports of the United States, in the present circumstances of things.

Pirates. Two vessels of 30 guns each, respecting no flag, are in the Mediterranean, which occasionally blockade Malaga and Alicante.

Fraud. The pocketing of cash by the late cashier of the Phoenix bank of New-York, has excited much surprise. Greene marshed in the first circles, like several of the cashiers who have acted pretty much as he did, and seems to have been at the top of the wheel of gentility! So much has the public mind been vitiated by speculation, that we seem yet to have to learn that "an honest man's the noblest work of God." Give me a pure heart on the dunghill, rather than a villain's in a palace. We have long followed a bad "fashion," as my old friend in Massachusetts says—but the times are mending.

Killing off. Looking over a file of London papers, (observes the National Advocate), we find the death of Mr. Holman announced; to which is added the following singular piece of intelligence: Miss Moore, Miss Latimer, and Mr. Sanders of the same theatre, were struck dead with lightning." Every thing is done to frighten persons from emigrating to this country.

Presidential election. The following singular difficulties have occurred: In North Carolina, a law was passed to choose electors of president by the people—but the time when was not appointed; and in Illinois, by a law of that state, the governor is required to divide the state into districts, according to the number of inhabitants, to be ascertained by census, the limit for the taking of which is beyond the period at which the electors should be chosen! It seems probable that special sessions of the legislatures of these states must be held to supply the defects of their own laws.

American jaconet muslin. We have at this moment before us a piece of *jaconet muslin*, of a fabric so perfect in every particular, that we may safely assert it to be equal, in every respect, to any thing of the kind, produced in any part of the world.

Familiar with the finest webs of Asia, we can confidently assert, that the piece before us is equal in beauty, evenness, and much superior in the finishing, to the fine *mulls* of Hindostan.

This piece is the first experiment made at the factory of Messrs. Thorp and Slidell, of this neighborhood, yet it will bear inspection and comparison with any foreign production of the same number of yarn.

This *jaconet* rivals, in beauty and texture, the lawns of Flanders, and for cravats, ruffles, and fine dresses, has no superior; and we earnestly recommend the products of these ingenious manufacturers to the notice and patronage of every friend of American prosperity.—*Aurora*

The vine. About 24 acres are occupied as vineyards at Vevay, in Indiana, and in very prosperous cultivation by the industrious Swiss settlers. It is supposed that the present year's produce will exceed 5,000 gallons of wine, though great quantities of grapes are disposed of for other purposes.

White and red lead. The St. Louis Gazette of May 31, announces, that the works for the manufacture of white and red lead have been established in that place.

Naming of the ships of war. The resolution of congress on this subject is defective. The names of *first rates* are to be after *states*, and *second rates* are to be after *rivers*. Now it so happens, that the first name given to the *first-rate* ship, under that resolution, the Ohio, does not designate her *rate*, being the name of a *state* and a *river* also. The names of Alabama, Mississippi, Illinois, Tennessee, Connecticut, Delaware and Kentucky, are common to *states* and *rivers*. Missouri and Arkansas will stand in the same condition, when states.

A bold fellow. A person is now confined in the jail of Pearson county, N. C. among other crimes, for having married not less than *fifteen* women, all living at the same time—yet he is only 30 or 35 years of age.

Cincinnati banks. There has been a great excitement at Cincinnati, in consequence of a belief pretty generally entertained that those concerned in the Miami bank were secretly engaged in purchasing up its notes, at a very large discount; though, as it was also thought, the bank was able to meet its engagements, under a careful management. If such things have not happened at Cincinnati, they have occurred at other places, and there is no sort of novelty in them. The bills of the bank alluded to are worth about 25 cents to the dollar in the Baltimore money-market. I myself sold some at 50 per cent discount, and unfortunately yet have a few on hand very handsomely marked like money.

The inhabitants of Springfield, Hamilton county,

state of Ohio, have held a meeting; at which they charge the non specie paying banks with a design to depreciate their own paper, for the purpose of buying it up at very reduced rates. They declare that an improper forbearance has been excited towards these banks; and that the people ought to have rejected every note "as containing a falsehood on its face, so long as those who issued it refuse to discharge its obligation."—They came to the resolution, "to desist from the use of any paper of banks that refuse to discharge promptly, the obligations specified on the face of the notes"—and they invite all the good people of the Miami country to adopt similar resolutions. There is an energy in this conduct which commands respect.

Enquirer.

Law Case. The following case, as reported in the Cincinnati "*Inquirer*," lately came before the city court of that place. The decision, certainly, is an extraordinary one.

Bank United States

vs.

Whipple and Washburne.

The above cause came to trial a few days ago, before the city court, holden by the mayor and two aldermen. The case was regularly presented to the jury by the plaintiff's counsel, and though there were several points made by the defendants' counsel in the course of the proceeding, yet they were reserved, and the testimony considered as conclusive of the claim. It was admitted by the plaintiff's counsel, that the note was discounted at the office established at this place. The defendants' counsel insisted to the jury, that the bank of United States had no power to discount promissory notes—that the bank was the mere creature of the act which created it, and possessed no other powers than such as were expressly granted. That it could take nothing by implication, however strong; and though the charter confers a right upon the corporation generally to do and execute all and singular the acts, matters, and things, which to them it shall or may appertain to do, &c. and although it prohibits them to receive more than six per cent. upon its *loans* or *discounts*, yet, as there is no express authority either to *loan* or *discount*, such loans are illegal and the security void.

The mayor charged the jury that the bank of the United States had no power under its charter to discount promissory notes, and the jury gave a verdict for the defendants.

Passengers. Thirty-five thousand five hundred and sixty passengers arrived at the port of New-York from the 1st of March, 1818, to the 11th of December, 1819, as entered at the mayor's office.

Americans	16628	Swiss	372
English	7629	Norwegians	3
Irish	6667	Swedes	28
French	930	Portuguese	55
Scotch	1544	Africans	5
Germans	499	Prussians	48
Spanish	217	Sardinians	3
Hollanders	155	Welshmen	590
Italians	103	Danes	97

18,114 reported,
13,060 bounded,
4,377 commuted.

Total 35,560

New-Hampshire. The last return of the militia of this state gives the following aggregates: Infantry and riflemen, 23,063; cavalry, 2,071; artillery, 1,142;—the whole are pretty well supplied with arms. No returns from two brigades:

Spontaneous combustion. A case of spontaneous combustion occurred on Wednesday evening in this city. The dregs of linseed oil having been thrown on a dung heap, caused a flame to break out, which communicated with some boards connected with the heap; and had it taken place in the night, a great conflagration must have been the consequence. It is fair to presume that many of the destructive fires originate from similar causes.

[*N. Y. Col.*

Mephitic gas. An affecting occurrence took place in the neighborhood of St. Louis, on Friday the 23d June.

Patrick Gorman and William Neal were employed in sinking a well on the farm of Michael Gorman, father to the former. On the morning of the 23d, they went as usual to their work, and by means of a bucket, let down by a little boy, descended to the bottom of the well, then about thirty feet deep. Unhappily the well had filled with mephitic air during the night, and the young men were soon perceived by the boy at the windlass to be in the agonies of death. His cries brought his father, his elder brother and Thomas Kensela to the spot. The two latter immediately descended in the bucket.—There were now four in the well, and but two could come back at a time. Thomas Kensela undertook to bring back William Neal, who seemed to be expiring; the two brothers Patrick and Thomas Gorman, were left for a second trip, and the father Michael Gorman and his little son turned at the windlass to draw them up. When near the top, the strength of Thomas Kensela failed from the bad air which he had breathed; he dropped from the bucket and fell with William Neal, whom he was bringing up, thirty feet upon the two brothers below! The cries of the father and the little boy brought in some neighbors, one of whom, Mr. William Tharp, had the intrepidity to volunteer a descent. Four times he made the perilous adventure, each time bringing back the body of a sufferer. As fast as brought to the surface, the lancet was applied to their arms; the blood flowed freely, but life was extinct forever; and on the following day all four were buried in the burying ground of the Roman catholic cathedral in St. Louis.

Antidote to poison.—A most important addition to the sum of scientific knowledge, and an acquisition of incalculable benefit to humanity, has been made by a gentleman of Norwich, Mr. Rogers, in the discovery of what appears to be an *universal antidote to animal poisons*. From the numerous and varied experiments, already made, it would seem that this singularly useful property of the gas, (for such we understand is the form of its application) is attributed to its power of effecting the chemical neutralization of pestilential effluvia. In the more condensed forms of animal virulence, as the *virus of small pox, cancer, &c.* its effects are said to be strikingly obvious, in the instantaneous decomposition of the poison, which thus becomes entirely quiescent. We understand that government, justly sensible of the importance of the subject, will appoint commissioners to investigate the facts of this discovery, and decide on its application to practical use in arresting the progress of contagion.

[*London paper.*

No market for cattle. Some citizens of this county, (says the *St. Louis Enquirer*), have contracted with the earl Selkirk, to deliver him 120 head of cattle, principally cows, at his establishment at the confluence of the Assinaboin and the Red river of

the lakes. The drove is about setting out. They have a long road through the woods, and many tribes of Indians to pass, and an attack upon the way may not be placed among improbable events. The earl's establishment, consisting of a small agricultural colony of Scotch, a fur trading company, and a military garrison, is in latitude 50, longitude 23, west from Washington city, in a direct line about nine hundred miles. The cattle will probably march 11 or 1200 miles, the Indians willing.

Missouri. The convention recently elected in this territory, met at St. Louis on the 12th of June. David Barton, esq. was elected president. A resolve that it was expedient then to proceed to form a state constitution having passed unanimously—various committees were appointed to draft different parts of it, &c. The convention consists of 41 members; of whom 16 were born in Virginia, 8 in Kentucky, 4 each in Pennsylvania and Maryland, 3 in North Carolina, 2 in Missouri, and 1 each in Vermont, Delaware, Tennessee, Ireland and Wales.

St. Louis, (Missouri,) June 17. The committee appointed to draft a constitution for the state of Missouri, reported yesterday. The article which will be first enquired after is to the following effect: The legislature shall have no power to manumit slaves, except on condition of paying their full value to their owners; it shall have no power to prevent emigrants from bringing their slaves into this state; it shall have power to prevent slaves from being brought to Missouri to be sold as merchandize; persons who have been, or may be, brought into the U. States, in violation of the laws of congress for the suppression of the foreign slave trade, shall be free on arriving in the state of Missouri; their posterity likewise; the right of jury trial for offences above the grade of petit-larceny is secured to slaves; it is made the duty of the court to assign them counsel when they have it not; if convicted to be punished in the same manner that white persons would be for the like offences; homicide, and dismemberment of a slave to be punished as if committed upon a white person; and it is made the duty of the legislature to pass laws for the protection of slaves against injuries from their masters.

These provisions have been unanimously adopted.

From the Missouri Gazette of June 28. By a letter from Prairie du Chien, we understand that a council with the chiefs of the Winnebago nation of Indians has been held by colonel Leavenworth, on the subject of the murder of two of the men belonging to the 5th regiment. They disclaimed and denounced the act, and said it was done by two fools who had covered the whole nation with shame. That they had no wish or intention to go to war, and promised to deliver up the murderers in nine days, and in the mean time delivered five of their chiefs as hostages.

The Sacs, Foxes, Kickapoos, and in fact all the Indians on the river, stand ready to join the United States, in case it is requested, against the Winnebagoes, but no necessity for it exists. Part of the Winnebagoes are friendly, and the residue fear our troops too much to do any more mischief.

Washington City, July 25. Mr. John Graham, our minister plenipotentiary at Rio de Janeiro, arrived at this city yesterday, with his family, after a short passage, in a vessel belonging to Georgetown.

We are sorry that the reduced state of Mr. Graham's health should have been the cause, as we understand it is, of his sudden return to the United States.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A curiosity, respecting the bank of the United States, will be found inserted in the next page. It will record the views of its founders.

Our extracts and abstracts of foreign articles are continued, and to later periods by more recent arrivals. Even those who have access to the daily newspapers may find something new in our collections, derived from *many* papers; examined with care.

AMERICAN MANUFACTURERS. Though the following may not be very flattering to the patriotism or judgment of congress, and many of our fellow citizens not honored with a seat on the floor of the capitol,—still the truth should be told, that improvidence and folly may be rebuked and checked.

It is assuredly a fact, that when the Messrs. *Duponts*, of Brandywine, were manufacturing their very superior cloths during the late war, they found for some time great difficulty in disposing of them, though they always kept their prices below those which were asked for British goods of like qualities. The stock on hand accumulated to such an amount, though the most assiduous efforts to make sales were not wanting, that it almost seemed problematical whether they might not find it expedient to shut up their factory, and throw a large population out of employment! Their chief market was at Philadelphia; and here the *best* judges, with nearly all the *great* dandy-tailors, had pronounced their goods inferior, not fit for gentlemen to wear—they could not, *in conscience*, consent to cut them for their regular customers! To relieve themselves of this difficulty, and secretly punish the prejudice which they could not openly overcome, the proprietors of the establishment purchased the aid of an English agent, who, for the *per centum* allowed, gladly undertook the business. Twenty or thirty bales were carefully put up at the factory, in strict imitation of British cloths—with the leads, covers, marks, &c. &c., and sent on to the agent; who soon made it known that he had received, *no matter how, whether smuggled or not*, a handsome assortment of cloths. No one suspected that he dealt in American goods—and his store was soon thronged by tailors and others, to purchase them. They were quickly sold, at a dollar or two in the yard more than the factory prices—at an advance sufficient to pay the agent his *per centage*, and leave a considerable *excess* profit to the manufacturers! Then came out the puffing advertisements in the newspapers of the tailors and others, having received supplies of fresh goods; and their shelves were soon relieved of these very superior *English* cloths, which they "could recommend to their customers!"

The best of the joke was, that the enterprising *Duponts*, by such operations, were enabled to carry on and extend their establishments—but the most ridiculous part of the whole was as follows: The primary object of the manufacturers was to dispose of their goods, but to build up a character for them, was hardly less interesting. To aid in this, they always kept out of the imitation bales the finest and best pieces that they made, to sell as *American* goods, at a lower rate than those so managed to be supposed *English*. When the head tailors had obtain-

ed a stock, as mentioned above, they sent round to them those reserved pieces, asking a comparison, and soliciting purchases at reduced prices. Being well acquainted with the gentlemen, I think that I can now see one of them, without a smile on his countenance, comparing one piece of *his* own cloth with another, gravely contending in favor of what he had to sell and which he *knew* was the best, and calmly listening to the numerous objections urged against his opinions, about the fineness, texture, durability of color, and the like—all said to be superior in those goods which had passed through the hands of the *English* agent! How long this honorable deception, to make folly an instrument of good, was practised, we do not know. We have been told, however, that it never was detected; but, in a short time, such a character was established for the Messrs. *Duponts'* cloths, that no necessity existed for resorting to it. They could dispose of all that they could make,—the people knowing that they were *American* goods, and purchasing them because they were better and cheaper than the imported.

Last winter we indignantly noticed the receipt of a letter from the clerk of the house of representatives of the United States, written on paper stamped and marked with the royal crown of England; and were told, in explanation, that the clerk had only a few loose sheets of such paper in his office, one of which happened to be directed to us. We have not had any reason yet to doubt the latter statement, but soon after it was published, a friend in the senate sent us a sheet of the paper usually laid on the desks of its members, *dignified* with the same emblem of royalty, at which we were again mortified: The paper was of a very fine quality; better, perhaps, than four-fifths of the members of congress ever used, perhaps ever *saw*, before their arrival at Washington—nice enough for the *lightest* dandy to write a note to his goddess upon. We deposited the sheet among our *queer* things, intending to bring it forth when occasion suited, and to deprecate the matter as it deserved. But we are just told, and we learn it with much pride and pleasure, that our wise senators are cheated—neatly cheated, and made a laughing stock of, like the Philadelphia tailors! Our best paper makers have vainly solicited the honor of supplying congress; their proposals could not be accepted; English paper only was good enough for that exalted body—and so *English* paper was contracted for—but we have now most humbly to apologize to Mr. Dougherty, and all else who might be aggrieved by our former remarks, in expressing our conviction that this paper,

* Among these were the Gilpins, on the Brandywine, whose establishment for the manufacture of paper, we suppose must have cost between three and four hundred thousand dollars, and is said to be without a superior in the world; though several others of our paper makers manufacture goods equal to theirs, and have for several years made papers which, with the same advantage of age before using, would compare with any furnished from England, and at 25 per cent. less price than they can be sold at, in that country. Paper is a dear article in England, though exceedingly cheap in France, Germany, Italy, &c.

if supposed to come from England, must come from a district so called, but with the important word "NEW" placed before it—being made by honest, "full bred yankees," our countrymen, friends and brothers—"long life to them" for it! I like the *fun* well; yet shall protest against it, as I formerly pledged myself, by repeating the declaration, that none of the members of congress shall receive the REGISTER of me, if their secretary or clerk writes for it on paper stamped with a crown. "Let it take any shape but that," and the order shall be obeyed—a *coufish* or a *hoe-cake*—a yoke of oxen or a race horse—any thing but a regal crown. We do not know who it is that has the contract to supply the paper, and, certainly, are without the shadow of a wish to injure him on account of this matter, but rather thank him for his patriotic management: yet we do not believe that even the senate, hitherto satisfied with the paper and the price of it, will suffer their mortified feelings to carry them so far as to insult the majesty of the people by acting upon it—they will most likely be ashamed of what they have done, and "correct the procedure."

Bank of the United States.

A singular accident lately gave me possession of the following most curious statement. It was written in December, 1816, by one of the greatest speculators in the stock of the bank of the United States, to a distant gentleman who had invested a considerable sum of money in that institution. The writer either seriously believed what he stated, (and he ought to be presumed to have had an extensive knowledge of the facts), or he deliberately told what he did believe to be true, to keep up the bubble until he himself had realized his designed profits. If the former, we may laugh at his magnificent notions—but if the latter, must severely condemn the fraud. The people, twenty years hence, will hardly apprehend the splendid ideas which the stock-note-makers, (who chiefly made the bank of the United States), had of what they would do. It is a fact, that they aspired to nothing less than a regulation of the whole internal and external trade of the country, and thought themselves so mighty that nothing could successfully oppose their march to supreme power. This paper, which I pledge myself is genuine, is a proof of these things—and yet, *mirabile dictu*, this, that was-to-be, tremendous institution, which was to raise up princes and palaces, and break down every species of independence contrary to the will or wishes of the paper-mongers, fell before the power of a few *goose quills*, directed by truth, because its foundation was sandy! A HAPPY DELIVERANCE TO THE PEOPLE, AND AN USEFUL LESSON TO INORDINATE AMBITION.

"Views of the business to be transacted by the Bank of the United States:

[The figures placed at the beginning of the line refer to the paragraphs in our comments.]

(1) 6 per cent. stock owned by bank, 21,000,000 a 5 p. ct.—1,500,000

(2) 5 do. do. 7,000,000 a 5 " — 350,000

(3) Amount of specie, &c. which may be discounted, (see below), I estimate at 25,000,000 a 6 p. ct.—1,500,000

Annual receipts, dollars, 3,110,000

*The bank is to have in specie, dollars, 7,000,000
It will have on deposit from the government and its agents, &c. 10,000,000

It will have on deposit from merchants and others, 5,000,000
It will have in hand, received for drafts issued by it on any place in the union, say, 3,000,000

Makes, to discount upon, as above, dollars, 25,000,000
My sincere belief is, that the estimate of deposits above made, is far less than they will be found.

(4) Present annual expenses, dollars, 175,000
(4) Supposed annual bad debts, 135,000

511,000

350,000 shares, a 8 dols. per ann. dividends—dollars, 2,800,000

Again—

I will suppose my estimate of 8 per cent. dividend above, is admitted to be correct—and state it at, dollars, 2,800,000

(5) Then I will suppose the bank to buy 50,000,000 dols. per annum, of sterling bills, and make 1 per cent. by the purchase and sale of them, 500,000

(6) I suppose the bank to furnish drafts upon distant places, say at Boston or Orleans, or Lexington, or Savannah, or vice versa, and to charge a small brokerage on them—say on 40,000,000 annually, 1-2 per cent. 200,000

350,000 shares at 10 per cent. or 10 dols. per share, } 3,500,000
to divide, per annum,

(7) If 6 per cent. funded debt is worth 100 dollars, or par, in the American stock market, United States 8 per cent. bank stock is, in the same market, worth 133 1-3 dollars.

If 5 per cent. stock in England is worth 100 dollars, as it is, United States bank stock, paying 8 per cent. at par, in London is worth 160 dollars.

Let the bank divide as it may, the above rules are applicable, and lead to certain and just results."

Now let us compare these almost infinite calculations with the naked facts that we know, as to the "business transacted by the bank:"

In the 15th vol. of the REGISTER, page 456, there is a large table shewing the state of the bank, at sundry dates, from the time of its institution to November, 1818. We shall use the facts therein afforded as far as they will go, and refer to others in our possession, that calculations and realities may stand side by side, for public edification or amusement.

(1.) The bank was to hold 21,000,000 of United States 6 per cent. stock, and draw an interest thereon—It appears by the report of the secretary of the treasury, that the whole amount which it ever held was 13,043,767, which he stopped the interest upon anterior to September, 1817, by redeeming the principal—so this huge item amounted to nothing. See vol. XIII. page 242, 264.

(2.) The bank did hold and yet holds the 7,000,000 of 5 per cent stock, on which the people of the U. States have made a dead loss of \$429,187—see present vol. page 316.

(3.) The bank was to have in specie 7,000,000—its highest amount reported in the table above referred to, was 2,739,626. It was to maintain a deposit of 10,000,000 on public, and 5,000,000 on private account. For a month or two in 1817, anterior to the purchase of the stocks by government, the public deposit was heavy; but, in November, 1818, it amounted to only \$1,385,190—and it is probable, that the monthly average will not exceed three or four millions, if it amounts to so much, from the date of the institution to the present day. The average of the individuals' deposits, in the table, was more than four millions, and herein the calculation was tolerably correct. The highest amount of bills of exchange (foreign and domestic) held by the bank was 1,801,984—the lowest, 494,529—instead of 3,000,000, which was to have been regularly on hand, received for domestic drafts, to be discounted upon.

(4.) The permanent annual and current expenses have doubled, or trebled, the amount estimated, though, hereafter, they may not exceed this sum so much as a half. The amount of "annual bad debts" have, thus far, been eight or ten times greater than the estimate!—and can hardly, at any time, however prudently the institution may be conducted, fail to exceed the sum supposed.

(5.) The bank was to purchase fifty millions—50,000,000—in sterling bills, to speculate upon!—This amount would, probably, have been greater

than ever was drawn, in one year, in all the United States, upon all the countries of Europe—and, perhaps, be treble the amount at this time negotiated on England. This is a very *wild* item, indeed. We do not believe that the bank has purchased "sterling bills," except to pay for its own specie imported, or its own dividends so *cunningly* made payable in England, to the amount of one million a year, as articles of traffic—if any, at all.

(6.) The bank was to furnish drafts on distant offices to the amount of *forty* millions—40,000,000—a year. We cannot tell the amount furnished—but are satisfied that this item is as *wild* as the former. *Together*, they shew that the idea was entertained of regulating the *whole* foreign and domestic trade of the United States, and of causing all the monied transactions of our dealing men to pass through the hands of the officers of the bank, at such *shaving* premiums as the president and directors should think fit to impose!

(7.) This is not the fact—the charter is to expire in less than sixteen years, and the advance must be sunk; so that if a regular dividend of 8 per cent. is insured, the cash value of the stock, rating the interest of money at 6 per cent. is *now* about 118 dolls. See vol. XIV, page 37, for some useful calculations on such matters.

Further remark is useless—and the reader will either laugh at, or be sorry for, these strange notions, according to his humor. We have only to add a simple caution to the people, that they look about them well before they confide in *new* speculations in the stock of this bank, and *new* puffings that are made about it. There is nothing like malice in this caution—we are assured that the general interests of the institution are now carefully protected and promoted, even, perhaps, to the detriment of the public welfare—but we think it morally impossible, in the *present state of things*, that the stock of the bank of the United States can really be worth more than its par value, if so much, supposing money to be worth *six per cent.* "It is said," that the enormous losses of the bank will be retrieved by January next, and that a dividend will then be made. *It may be so.* But the charter will determine by and bye, and what will become of all those costly houses, &c. which are now counted as capital, as specie in the vaults? It is *impossible* that the charter will be renewed, unless we anticipate a victory over the people, by this monied corporation, that we tremble to think of—which we cannot suppose more probable than that the delectable *director*, whose letter we published in our last paper, should become king of North-America, because of his love for the country.

P. S.—Before we leave this subject, we may observe that the editor of the "Southern Patriot" has labored in opposition to our remarks in the REGISTER of the 1st ultimo, without, however, attempting to impair the verity of what we stated. We are content that the facts are true, and the editor of that paper may *explain* them just as he pleases. He talks of the bonus, &c. but "remembers to forget" the advantages gained by the bank in its illegitimate—PURCHASED charter.

Missouri Question.

SPEECH OF MR. BALDWIN, (OF PENN.)

IN THE HOUSE OF REPRESENTATIVES.

In discussing the right of congress to impose this restriction, gentlemen have confined themselves to the enquiry whether the constitution affixes such limits to our powers as prevent the exer-

cise of this: I think it worth while to enquire whether congress have not limited themselves—though it were even doubtful whether the constitution gives this power, yet, I apprehend, that if by a solemn treaty, to which the faith of the nation is pledged, and which has become the supreme law of the land, we have agreed not to exercise this power—or, if we have already parted with and delegated to another legislature, all the powers of internal legislation, without reserving a control or veto on their acts—if, in the whole course of our legislation for thirty years, there shall not only not be found a precedent for this restriction, but it shall be equally inconsistent with its principles and contradicted by the uniform practice of the government, gentlemen will at least pause before they assume it now. To these arguments, drawn from the Louisiana treaty, which have been so forcibly pressed on them, they reply, that, by the constitution, the admission of new states is a matter on which congress alone can act—that the president and senate have no power to bind us by any treaty-stipulations in relation to this subject—that to be valid, that part of the treaty must be ratified by us. By those who urge this argument, I hope it will be admitted, that if congress have once ratified this part of the treaty, it becomes binding as well on them as on France and the people; that a new ratification by any successive congress is not necessary. I beg them to attend to the act of congress, of 2d March, 1805,* declaring that the "inhabitants of the territory of Orleans shall be admitted into the union upon the footing of the original states in all respects whatever, conformably to the provisions of the third article of the treaty concluded at Paris on the 30th April, 1803, between the United States and the French republic." In the latter clause there is a provision to guard against a declaration of my colleague, that, if the people of Missouri would not consent to this restriction, he would reduce the state to the smallest limits. No alteration of boundaries "shall be made which shall procrastinate the period for the admission of the inhabitants," &c. When precedents are pressed on us, I must recommend this as coming from ourselves—it is the solemn ratification by the three branches of the government of the treaty which guarantees the admission of the states formed out of Louisiana, on an equal footing in all respects with the original states; it is our own commentary on this article—I hope it may be considered as binding at least on ourselves. Even tyrants admit themselves bound by their own laws; for the honor of a republic, I hope we may not contend that when national faith is pledged we may violate it with impunity. If there ever was a time when this nation ought to set an example of good faith, it is this—when we are appealing, and successfully appealing, to the whole civilized world against the perfidy of Spain,—when we are about engaging in a war to enforce the fulfilment of an *unratified* treaty; which, we say, is binding as a contract, and gives a right to the territory stipulated to be ceded, though that treaty has not passed through these forms,—perhaps is not, in substance, such as are necessary to give it a binding force. Spain is called on to fulfil—it has been recommended to you to occupy the country, and you may be called on to execute it by the power of the nation; yet in the same session say, that a treaty made seventeen and ratified by yourselves fifteen years ago, after you have obtained possession of all the rights stipulated in your favor, after

* 3 vol. p. 650.

paying to the foreign government all the money due to her, shall not be valid to secure to your *own citizens* the performance of the stipulations in their favor. It is binding on France to give us the country,—on us for the purchase money, but leaves the inhabitants no rights but such as flow from your sovereign pleasure. Sir, this is not the guarantee which the constitution gives for our national and political rights—we hold them by a higher tenure than your will—if their source can be traced to the constitution, a treaty or law, there are barriers interposed which you cannot pass without destroying the foundations of the government. No one has yet examined the relation in which we stand to the people of Missouri, and whether there do not result from that relation, obligations as strong as those from the treaty. To ascertain this we must trace the organization of territorial governments. Though it is admitted by all that congress have, in the first instance, a power to legislate over the territories, there is much difference of opinion as to its source. An eminent senator, (Mr. King), derives it as an incident to sovereignty—others from that clause in the constitution authorizing the congress to dispose of and make all needful rules and regulations respecting the territory and other property, &c. This, I think, applies only to the national domain—that congress have no right to regulate what they cannot sell or dispose of, your's and my personal and political rights, or those of communities, states, or the people. The source from which I derive the power is, as to the North-Western territory, the cession from Virginia; she had both soil and sovereignty,—ceded both to us in full dominion,—unlimited, except by the terms of the cession and the general principles of the constitution, which afford equal protection to all within its sphere: so of Louisiana—by the cession from France, we acquired the sovereignty by the same authority as the soil, and hold both on the same tenure, until we part with either or both. In parting with a portion of the sovereignty, which is originally exclusively vested in this government by the organization of a local one, the first grade is to appoint a governor and judges; this is done under the authority of congress—the people of the territory have no voice in their appointment; they are authorized to make laws, subject in all cases to the revision and veto of congress, to whom they must be reported from time to time, for their rejection or approbation: the laws are in force unless disapproved of, but may be altered by the legislature. When the free white male inhabitants amount to five thousand, they are authorized to elect representatives to the general assembly, who name ten persons, of whom congress or the President select five, who compose the legislative council. Two branches of the legislature thus formed, they have authority to make laws in all cases for the good government of the district, subject to the veto of the governor, but not of congress: the only check or control which they retain is in the appointment of the governor and council. This is the general system prescribed by the ordinance of 1787, which has been applied generally to the new states;* in Louisiana there was a legislative council in the first grade of government, but in other respects it conformed to the ordinance.† In admitting a territory to the second grade of territorial government, the general assembly is always vested with universal and unlimited powers of legislation. In the case

of Missouri it is remarkably comprehensive—"The general assembly shall have power to make laws in all cases, civil and criminal, for the good government of the people of said territory, not inconsistent with the constitution of the U. States."‡ As to legislation for all internal purposes, this conferred as full powers as any state possessed; the only difference between a state and territorial government of the second grade, is, that in the latter, congress appoint the governor, judges and council, and the territory is not represented in the senate, and only by a delegate in this house; but the general assembly, once organized, has the same powers as a state—congress have no veto in either case, and can legislate in a territory no more than in a state, except as to the public property for federal purposes, or on subjects over which, in the acts organizing the territorial governments, they have retained a control. It would, indeed, be inconsistent with the first principles of a republican government, that a power once delegated without reserve or condition, could at pleasure be revoked, resumed, or exercised, concurrently, by both congress and a local legislature. While this law for admitting Missouri to the second grade of government is in force, their general assembly has universal powers of legislation; if congress can interfere in this, they can in any other subject of internal policy—a penal code, the rules of evidence, the descent of property, recording of deeds, &c. It would be absurd to contend that there is a concurrent power of legislation—which law, in that case, is to prevail? Both are made by the same authority, one directly, the other by delegation: it would be a gross violation of our plighted legislative faith. In the first grade of government there is a veto reserved, in the second none; there is notice in one case, none in the other. The best evidence that congress intended to part with their whole power as to internal policy is, that the laws passed by the general assembly need not be reported to them, as in the case of those made by the governor and judges. I never expected to be obliged to contend on this floor, that we could not govern a people whom we had authorized to govern themselves,—that the powers of self-government were revokable at pleasure, even without a repeal of the law which conferred them—that there should be on our statute book a law telling to the people of Missouri, you are free, you may govern yourselves, your representatives may make laws in all cases, civil and criminal, for your good government—but with this law in force we will govern you as we please. If the high powers of legislation, of self-government, can be revoked at will—if we are not bound by our own acts and laws, I think that in our zeal to make slaves free, we make freemen slaves. The essence of freedom is self-government by representatives: tyranny, in being governed by those who do not represent us. There is no connection between us and the people of Missouri—they are now governed by their own representatives; yet we are now asserting a principle capable of no limitation as to internal policy or regulation, until we reach, as my colleague says, the point when Missouri will be no longer fit to associate with other states; or, as the gentleman from New-York tells you, bring her rights to annihilation. If this principle of the right of congress to exercise legislative powers in an organized territory is constitutional, why may they not exercise them in a state? If the powers of self-government may be revoked

* 1 vol. p. 476, 7, &c.

† 3 vol. p. 404.

* 4 vol. 438.

as to Missouri, they may in Illinois. A state government is but one grade in advance of a territorial one, it equally owes its existence to our laws; and I know of no legal principle which makes any difference in their binding force. If a charter is granted to a borough, bank, turnpike, or insurance company, there is always authority to make by-laws. The legislative history of the country does not afford an instance of a revocation of one of those charters, or an exercise by legislation of powers delegated to those petty corporations. In the Dartmouth College case, decided at the last supreme court, this principle was fully settled. A charter was granted to that college in 1769, with a certain number of trustees; in, say 1814, the legislature of New-Hampshire added to the number of the trustees without the consent of the old ones: the court decided that the latter law was unconstitutional and void. If it was incompetent for the supreme power of a state to even add to the number of a board of trustees, for literary purposes—if they could not thus, in a matter not destructive of the objects of the corporation, or the substantial rights of the corporators, interfere at all—if the constitution of the country thus throws a guard round all the small incorporations—if the universal opinion and practice of the country thus holds them sacred and protects their rights, not only from destruction but invasion, interference and concurrent regulation—can it be possible that a whole nation is to be disfranchised, that seventy thousand people, who have now under your own laws and a solemn treaty, the rights of self-government, *the right to create the same petty corporations which would be protected by the supreme court of the union from even your control, are yet not protected in their rights?* For eight years they have enjoyed the rights of election and been governed by their own legislature. You have not the power, sir, to bring them under your sovereign power—under laws which you may please to make for them. You may as well revoke your grants of land as of political power—the latter are indeed, the most sacred and precious; both are held under legislative grants—some of our dearest rights are derived from laws, not the constitution,—the writ of habeas corpus; but once granted, they become inviolable and imprescriptible. It is my principle to enforce obedience to the laws, but there are rights of that kind which rise above discussion and swell beyond argument—if invaded by legislative power, I would repel the usurpation by force.*

If in the exercise of this power there could be any rule laid down, which would define the cases where Congress could interfere, after parting with general powers of legislation, there would be less danger in the imposing of this restriction; but its

friends admit there is none, and thus derive this power on the broad principle that we may impose any condition on the admission of a state, compel them to alter all their institutions, when they are now as free and have the same power and rights as any state in the union; that we may rightfully refuse them admission, and retain them in a colonial state, till they will surrender rights which they enjoy by our own grant and charter—which are secured and guaranteed to them by the treaty under which this country become a part of our empire, subject to our laws. But if you had the power to thus grant and revoke, create and destroy at pleasure, political sovereign rights of the highest kind—is it sound policy, will it add to the real solid power or permanence of this government? Remember, it rests for support not on bayonets, but the affection, the confidence of the people—that its strength is moral, not physical—operating by influence, not fear or force—efficient, not by the mere bond which holds us together, but by the ties of mutual interest which unite free and independent states. Destroy the confidence which is now felt in your legislative acts, your faith, your duty, to diffuse to all alike the blessings of liberty and self-government—you merit the fate which is sure to befall inordinate ambition. The physical force of this nation is in its component parts—there it ought to be, there it will be; it is neither your duty or right to destroy or impair, but to control and direct it in national emergencies. If you attempt to draw from theirs, to increase your powers, you will find that consolidation is weakness—the destruction of one involves all,—adhere to the principles of the constitution, the states cannot only defend themselves but you. The late war was a striking illustration of this principle; here you were defenceless and without resources—the states were sound and vigorous—their means ample and efficient—their affection and patriotism saved the country.

We have heard much of precedents, have been told that for thirty years restrictions have been imposed on new states—they have been quoted from pamphleteers, who seem, in writing on this subject, to have taken on themselves more than they can turn over; they have not traced these to their source—have looked only to those acts which in authorising the admission of new states have enumerated the conditions—they have not gone back to the original acts which imposed them: had they have done so, it would have been found that there is not a solitary instance, in thirty years, of a new condition being imposed on a new state *at the time of her application for admission.*—In every instance they have been imposed while congress retained the powers of legislation, before the territory was admitted to the second grade of government, or in perfect accordance with the terms of the laws which conferred on the people the powers of legislation. There is not an instance of one act of congress passed on a subject of mere internal policy, after a local legislature had been organized. The ordinance of 1787 has been relied on as the great source of this power to impose restrictions and conditions on new states—gentlemen opposed to the restriction have felt themselves so pushed as to deny its force and to call it an usurpation. It must be a clear case before I could apply this term to an act of the old congress, which has been so often sanctioned by this. I fully and freely admit its validity and binding force—to ascertain its character we must look to the situation of the country to which it applied;—It was a wilderness, the Indian title not extinguished, Virginia had ne-

* There are no rights of which a free people are so tenacious as political: of suffrage, self-government, representation. The revocation of the charters of some of the English cities, was one main cause of their revolution. In the declaration of independence, our complaint against the king is "for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our government." Would not the people of Missouri say this with truth to us, if we legislate within her jurisdiction on matters delegated to them? In another part of the same instrument, it is declared that "legislative powers, incapable of annihilation, have returned to the people at large for their exercise." Yet the powers here spoken of, were conferred by a charter only from the king, not by an act of parliament.

ver taken possession of it, had exercised no acts of sovereignty over it, her writs never run there, she had organized no courts, the United States had made no grant of land, it was before Cutler and Sergeant or Simms' purchase, there was not an individual settled there under authority from Virginia or the old congress—our's were the rights of conquest; the inhabitants of Detroit, Vincennes and Kaskaskia settled under the British and French governments—they were a conquered people, had no political rights;* this government was under no obligation to them, and was free to exercise all the rights of sovereignty as they had acquired them from Virginia; on whom then was usurpation to act? There were no rights to be usurped. In this situation, before any power was parted with by congress, before any could be conferred on the people, the ordinance imposed what are called conditions—to secure religious liberty, the writ of habeas corpus, trial by jury, &c.; the inhabitants to pay their portion of taxes—the legislature not to interfere with the primary disposal of the soil, lands of the United States not to be taxed, those of non-residents not higher than residents, the navigable waters to be common highways, free to all the citizens of the United States. These were no conditions on an existing population or restraints on an organized legislature; they were merely declaratory of the terms and conditions on which the country should be settled and governed. When the population amounted to 60,000, they were to be admitted into the union on an equal footing with the original states. "There shall be neither slavery nor involuntary servitude within the said territory," &c. In admitting into the union the states formed out of these territories, these provisions have been retained and inserted anew in the law, as evidence that they continued in force as part of the laws of the country, not as conditions of their admission—for they were binding from the first settlement: they were not so much restraints as necessary to ensure a republican form of government, the rights of the public and individuals to their land, and the use of public highways. These were matters in which congress had an interest, and were not only authorized but bound to place beyond the control of the new states. Tho' their admission was bottomed on this ordinance, yet it must be understood as applicable to those articles which were permanent in their nature and application, as well to their existence as states or territories. The 6th article, respecting slavery, is not so in its terms and has not been so considered by congress; its binding force is confined to the territorial state—such is its fair construction and such is the construction which no longer ago than last session was put upon it by this house—not in silence or without deliberation, reflection and solemn argument. When the constitution of Illinois was presented to us, it was found not to conform to the ordinance of 1787, in the exclusion and abolition of slavery—on comparing their provisions they were inconsistent—the gentleman from New York, who moved this amendment last year, objected to the admission of Illinois on this account—there was a short but an animated discussion; it was contended that the ordinance did not extend to states and was not binding on them, and so this house decided by a majority of 117† to 34. In the senate there was no objection—Illinois was admitted; she and Indiana now have

slaves and always have had them: here is a precedent in point, and I hope will not be without its weight in the body which made it, at least with those members whose names are recorded in the journal [Journal 1818-19, page 30, 31], who press us so much with precedents which have no application. I hope they have not established one which they are unwilling to follow. Precedents are to be respected if settled deliberately, and have been for a series of years uniform; but they must have a practical application, must grow out of the same or similar facts, must be in their great features the same: such I admit the ordinance of 1787 to be, in any territory situated as the North Western was at the time of its adoption, but it can have no application to one which was settled, containing 70,000 inhabitants, governed by a local legislature, for eight years, in the complete, in the full enjoyment of legislative powers for all the purposes of internal policy. A law may be valid when there are no rights to be impaired in its operation over a wilderness, but not in a territory organized under pre-existing laws without control or restraint: Such is the difference between Missouri and the North Western territory.—Thirty-three years ago, when the subject is traced through all the acts of congress, it will be found that our course of legislation has not been a blind one; it has been for thirty years uniform and consistent; all conditions and restrictions have been imposed before any local legislature has been organized, while congress retained and before they had delegated their powers. As the case of Louisiana has been much relied on, I will refer to that without fatiguing you with examining the others.—In 1798, (vol. 3d. 40, 386,) the government of the Mississippi territory was directed to be organized in all respects on the same footing as the ordinance of 1787, except the 6th article. In 1805 (3d. vol. 649), that of Orleans was directed to be in all respects similar to Mississippi, and the ordinance was extended to it in all respects, except the 6th article and the part relating to descents.—This brought all the provisions of that ordinance to bear on this territory, without any new specification or recital, before congress had parted with their legislative power, before any general assembly was organized. In authorizing the people to form a constitution in 1811, (4 vol. 328), there was no new condition imposed; all which are enumerated in this act were contained in the ordinance of 1787, which had been in force since 1805—one was apparently new but not really so; it was that which required them to keep their records and publish the laws in the same language in which the laws of the union were promulgated: it was well remarked by the speaker that this did not prevent them from keeping and publishing them likewise in the French language. But in looking at the act of 1790 (2 vol. 102, 3,) in relation to records, judicial proceedings and the public acts of a state, and the act of 1804 (3d. vol. 604, 5), it will appear clearly that it had been imposed in substance, and by necessary implication, at so early a period as in the first law passed after we took possession of the country. The ordinance of '87 was never applied to Missouri, but in the laws organizing their government all its provisions are inserted. Such will be found the uniform practice of this government without a single exception; a solitary precedent cannot be produced of a condition imposed under circumstances like the present. By looking only at the laws which authorize the people of territories to form constitutions and state governments, and not at the original acts which prescribed those conditions, the error has arisen of

*By the cession from Virginia they were protected in their property.

†56 from the non-slave holding states.

considering the right of imposing restrictions as sanctioned by the uniform practice of this government. I hope to hear no more of these precedents as justifying this amendment—I claim their benefit and ask of this house to be consistent with former congresses—follow their course, restrain where you have power and before you part with it—impose any salutary restrictions while you are organizing your territories, guard and protect all rights worthy of your protection, but do not now, for the first time in the history of our government, stretch your own powers to the destruction of the rights of others, your own faith and the principles of the constitution. When you are called on to exercise this power, it is a sufficient answer to say you have parted with and conferred it on another legislature, which, acting within its delegated powers, is beyond your control—as supreme as you are in yours. This answer applies conclusively to any exercise of legislative powers in a territory, let the original power come from either of the sources whence it is claimed: if, as an incident to sovereignty, the incident cannot attach after the sovereignty has ceased or been transferred—if, under the authority to make rules and regulations, the act of organizing a local legislature with general powers, is a rule and regulation, a constitutional execution of the authority—if, by cession from France, it has been ceded to the people by congress—so that it ceases to be so indispensable to enquire whether the constitution has limited our powers, it is enough that we have affixed limits ourselves. There was a time when this restriction could have been imposed. In 1812, when Missouri was admitted to the second grade of territorial government, we had the undoubted power—I wish it had been then exercised: when that law was under discussion two of the representatives from Pennsylvania, one of whom was lately, the other now is a member of the senate, offered an amendment similar to the one now proposed—it was debated, but rejected by a large majority. This was evidence of the opinion of that congress of the operation of the treaty—it afforded a renewed pledge to the people that they were left to their own discretion, on this as on all other subjects of internal policy and domestic relations.

This restriction is called a compact and much has been said to prove that states have power to make them. I freely admit that congress has power to make compacts with old states, new states, and states in a state of betweeny, and states with each other: but they must be on subjects where congress has an interest in the subject matter—when they relate to the rights of the public, of individuals, or the terms on which their lands are to be sold and a new territory settled. The compact cited between us and Pennsylvania was for the sale of the triangle; between ours and other states, for the settlement of boundaries and before the adoption of the present constitution; between the old and new states about to be erected within their boundaries, are authorised by the express words of the constitution. The gentleman from Ohio contends that this bill contains a restriction that the state shall not tax lands for five years after they are sold by the United States; by examining it, it will be found to be expressly offered for their free acceptance or rejection—if accepted, there is a commutation for this exemption from taxation, that 5 percent. of the whole proceeds of the sales are appropriated for roads, certain sections in each townships set apart for schools or places of worship. But though rejected the state is not to be deprived of

the right of admission into the union: The United States have an interest too in the lands, until they are paid for—they retain the fee simple, the purchaser has an equitable title which can become perfect only by the payment of the purchase money—it is forfeited and the land reverts if not paid. But in this case, this condition is not offered as a compact—it is compulsory on Missouri: we declare to her she shall not be admitted, unless she incorporates this provision into her constitution—it is not agreement but force, by withholding from her all federal rights. It is not a subject in which we have any interest; it is a matter in which every state has been left to herself; it is a condition never before offered. She claims admission under the treaty on an equal footing in all respects with the original states, conformably to the principles of the federal constitution, which expressly secure to her the right to a federal representation, place the subject matter beyond our control and would render even void a compact for their surrender. She asks you for no new powers, to confer on her no new rights; the law of 1812 secures internal,—the treaty, federal rights. She only asks you to redeem your pledge, fulfil your old treaty in good faith, not to make a new one. She asks to be included within the union, to be permitted to sign, to become a party to the national compact—the terms of which are explicit, defining what powers a state surrenders, reserving the residue.*

In opposing this amendment, which accords with my wishes, my feelings and my principles, I must not be misunderstood. It was not my desire to trespass on your patience—I should not have done so had not my situation been a particular one. No member of this house has a stronger dislike to slavery, none can have stronger or more powerful inducements to vote for this restriction, fewer local, personal or political ones to vote against it; but none can be powerful enough to induce me to act when I am perfectly convinced that I am forbidden by the constitution, the treaty and our own laws. In a question involving all the great principles of our government, my conscience and my oath concerned, I must be governed by their dictates. I ought to have been let alone, no one had a right to question my motives or wish me to act against my conviction—but letters have been written to my district requesting meetings to be called to instruct me, who am called "the only advocate for slavery in republican Pennsylvania." In self defence, it is my duty to give my reasons and to repel this charge. It was painful enough for me to be unable to comply with the unanimous request of the legislature of my state, to differ from perhaps all my colleagues, friends with whom it is my pride and pleasure to act; it was a ruthless hand which interposed be-

*No new state but Louisiana has declared its adoption of the constitution. If its admission opens a negotiation on matters of mere internal policy or federal rights, if it is considered as any more than adding a new party to an old contract which was to be uniform in its application, it would seem necessary for each state to adopt it. New states delegate no powers to congress, the authority by which they legislate for general purposes, by which their laws extend to, and are binding on new states, is not from a new compact—but by the application of the old from the time of admission, which, in itself operates as a delegation of all the powers which the old states have given up, and none other. The power to admit new states is fully executed by their being admitted—in the form and manner sanctioned by usage.

tween me and my neighbors, at home, to instruct me to violate my oath. Sir, I am no advocate for slavery, and when there is the power, no one will go further or more cheerfully to abolish it. It must be remembered that we did not form the constitution, but found it adopted as a rule for our conduct, a guide to our powers, the charter which gave us existence. If it is my painful duty to be obliged to depart from what now seems to be the opinion of our legislature, it is a satisfaction to feel myself following what it was in 1815, on the same subject—slavery, slave representation and conditions on the admission of new states. In 1814, during our struggle for existence with a powerful enemy, the *Harford Convention*, for political purposes, aimed at the existence of our government—recommended to the several states amendments to the constitution to effect the same objects which are to be accomplished by this amendment. The constitution was not then even in: their opinion strong enough—it was necessary to amend it, to give this power to congress. Now, that the proposition comes forward under the specious garb of religion, morality and philanthropy, it seems that our constitutional powers can be stretched to the proper point. Among other propositions of the *Harford Convention*, submitted to our legislature for their concurrence, were the following:

"That representatives and direct taxes should be apportioned among the states according to the number of free persons."

"That no new state should be admitted without the concurrence of two thirds of both houses of congress."

The report of the committee of the senate, which was unanimously adopted by both branches, is well worthy perusal; on the slave representation it is both able and conclusive: I will read that part which relates to the admission of new states (*Niles' Register*, 8 vol. page 67, from the words "the existence of new states—to 'improvement' in the top of the second column.) This is a Pennsylvania precedent worthy of the serious consideration of her representatives; then it was her opinion that new terms of admission could not be prescribed, that it was not in the power and did not depend on the discretion of congress to go beyond the tenor of the original stipulations made with the people of the territory. I believe it yet to be their opinion if the question was fairly stated. I speak with perfect respect of the legislature, but the person who drew the preamble to their resolution has not stated the question fairly: He asserts—that "a measure was ardently supported in the last congress, and will be as earnestly urged during the existing session, a measure in brief which proposes to spread the crimes and cruelties of slavery from the banks of the Mississippi to the shores of the Pacific." Sir, there was no such measure proposed at the last or the present session; there is none such now before you. The bill for the admission of Missouri contains no such provision, it leaves this like all other subjects of internal policy, to be regulated by the people as it is regulated in all the states, new and old—as we said last year that Illinois might regulate it. The word extension of slavery has become very common; yet it is known to have existed in Missouri from its first settlement and during the sixteen years it has been in our possession; it existed in 1812, when it was in your power to abolish and refused—it is now sanctioned and protected by every obligation which can bind a government to the people. But it will be your fault if it does extend beyond the proposed boundaries of Missouri; north and west, the coun-

try is a wilderness, the Indian title is unextinguished, you have the same full powers of sovereignty as were ceded by France, unembarrassed by any treaty or legislative act. There are no people to whom you have imparted powers, or on whom you have conferred any rights—there are none but your own. That part of the territory is in the same situation as the northwestern at the time of the ordinance, and I cordially hope we shall all join in following their example in meeting where our fathers met. The people of the south need not be alarmed—they were not alarmed in 1787, but unanimously consented to the ordinance. The proposed restriction on the new territories impairs no rights, political or of property—it goes no further than the ordinance. It is called a compromise—the term is misapplied, it surrenders or impairs no existing right; but points out the true line of constitutional power consistently, and supported by an uniform series of legislation for more than thirty years. On this subject I am happy in having had an opportunity of recording my vote against the extension, in favor of the restriction of slavery in the new territories over which we have the power; this vote shews who are not the advocates of slavery, who will stop it when they can by the execution of our acknowledged constitutional powers.

It is not improper even in this stage of this debate, to state the question before us. Missouri claims admission under the treaty and constitution, no objections are made except on the subject of slavery; it is admitted that her population is sufficient, but the attempt is made to exclude her unless a provision is inserted in her constitution, emancipating the issue of slaves now there, and those who may hereafter be brought into the state; to make this irrevocable, by being the fundamental condition on which alone she shall be allowed to enjoy a participation in the blessings of this government. It is not asserted as a right in congress to legislate directly on this subject—no one has offered a law to abolish slavery in Missouri; by our own authority, this mode is resorted to as a means of compelling the people to do what it seems we have not the power to effect otherwise than by condition. This opens a new source of legislative powers of the most dangerous kind, because they are in their nature perfectly undefined. Legislation by condition is of all others perhaps the most dangerous; when we have not the direct power, it will lead to all kinds of bartering and huckstering to attempt to assume it by conditions, as the price on which we will do an act of justice or favor. It is a mode unknown to the constitution which gives powers directly when it gives them at all—by these means it may be so modified by condition as to take from it all its most valuable features, and shape it to meet the various bargains which may be made to increase or diminish the subjects of its jurisdiction. No case can more strikingly illustrate this danger than the amendment now on your table; it seems to me to be not only not authorised by the constitution, but absolutely and expressly prohibited; it aims at the principle of representation, which is not only most clearly defined in its operation but guarded with a care not only peculiar but exclusive, a care applied to no other provision. All other parts may be amended in the manner pointed out in the 5th article, at any time; but for 20 years, it is placed beyond the power of even a convention to alter or amend that part which relates to the census or enumeration prescribed in the second and ninth sections of the first article. The representation in the senate is forever protected unless by the consent of the

state. This is unequivocal evidence that this was a subject of all others which the convention thought most dangerous to the permanence of the government. The adjustment of representation in both branches was the most difficult task—it was a great national compromise on which the constitution was built—without which it could never have been formed, and with the destruction of which it must fall. It extended to the old and then existing as well as the new states, and that not by implication but express words, “among the several states which *may be included* within this union.” To confine it to the old states, gentlemen must strike these words from the constitution; while they remain there, their construction contradicts its explicit language. The words of the constitution are imperative—there is no discretion in congress. “Representatives and direct taxes shall be apportioned.” As soon as a state is included in the union, her right to federal representation becomes absolute. If you impose a condition that it shall be only on her free population, when the constitution says it shall be on three fifths of the slaves—she claims the benefit of that provision which says yes, your condition says no—thus, in direct collision with the constitution, your condition must give way. This amendment does not in terms contradict the constitutional injunction, but it does it in substance in the most effectual manner, by taking away and destroying the subject matter on which it can operate. You cannot destroy or impair the principle directly, but defeat its application by this new mode of legislating by condition. The parts of the constitution on which this restriction has been placed, have been too ably discussed for me to trouble you with my ideas. But to settle the general principles of construction, it is all important they ought to be at rest. My political principles have ever taught me to take this instrument as we received it from its founders, as we are told in the Revelations to take the book of the prophecy—“If any man shall add unto these things, if any man shall take away from the words of this book”—I will not repeat the curse. This is the rule by which this book of the constitution is to be examined: Add nothing to it, take nothing from it, interpolate no construction or implied powers; take nothing from it by calling an express power an use or purpose—give to every word its full meaning, do not narrow or fritter it down by refinement. This, sir, is the practical common sense meaning of it, as understood by the people at the time of its adoption. By looking at it they could tell what powers were surrendered and what were retained. There was then, there is yet, an almost instinctive feeling, resulting from an implied, tacit, general understanding, that this was a government of limited powers, clearly defined in the constitution. At all times when a power is claimed by congress, the general question is, in what part of the constitution is it contained?—not whether it is necessary, proper or expedient. The universal understanding of the country has been, that the constitution was made to give new powers to congress, not merely to impose restraints on pre-existing ones or those resulting from general sovereignty: this necessarily results from the principle of delegation, a conferring of a part from the supreme source of power, the people. The rest is retained. The people of this country never have nor never will submit to the doctrine of implied constructive powers; their assumption by congress has always created convulsions; it always will, because they are felt as

a violation of the public faith, as usurpations of the creature from the creator.

The seditious act caused such agitations throughout this nation that it was the main cause of a radical change in the administration. The people would not bear it; in its operation it did not produce oppression—it had a “beneficent object in view,” the punishment of falsehood; it did not affect the publication of truth. You and I, sir, have no objection to the punishment of lying, but would protest against the assumption of the power by a tribunal who could only effect this purpose by a violation of the constitution. We abhor slavery, but cannot consent to its abolition by a body who are forbidden to act on it. The charter of a bank caused a great excitement, which has been increased by its renewal; here you see the effect of the assumption of constructive powers—and this subject gives me the opportunity of saying, that it is not the doctrine of Pennsylvania that congress have any implied powers. I am here asserting her principles, obeying the instruction of her legislature, sent to me this session on this subject. It is not my fault that I cannot obey them all. I must select those most consistent with her general and uniform principles, the oldest. She not only denies the powers of congress to charter a bank, but has directed an appeal to be made to the states to prevent its exercise, and has requested her representatives here to use their exertions to procure the adoption of such an amendment. Ohio, Kentucky, Virginia, Tennessee, and perhaps some others, have agreed to it. Ohio speaks still louder—she not only taxes but collects a tax from the branches of this bank. This is evidence of the national sentiment on implied powers—it is in accordance with the constitution itself; and this sentiment will grow—every year's experience shews the danger of using powers not delegated. This question should be an awful warning to us: in what a state is the country—in what a state are we here—why is there such unusual agitation and anxiety? At the opening of this session, the eyes of the people were turned to us with unusual expectation; all the great interests of the nation in relation to revenue, commerce, manufactures, bankrupt law, foreign affairs, were before us—we are now at the close of the third month of the session—not one of these subjects have been acted on—all have been neglected, abandoned as not deserving our attention: every thing is absorbed in this, which derives not its importance from its mere subject matter, but the mighty principles it brings under discussion. It is an awful question—your attention to it so long, the dreadful agitation it has excited, are indications that the fate of the government depends on it. It is whether there are any limits to our powers; whether there is any tie which binds us to the people; whether laws, treaties, or the constitution, can restrain us—or we may assume powers as broad as our discretion, unlimited as our opinion of their expediency, boundless as the necessity which we may create, as an apology for their assumption.

I do not understand the meaning of the word necessity, in legislation; it means any thing or nothing: I want a measure, and say it is necessary—you do not want and deny both its necessity and propriety. Before we part, I shall tell the gentleman from Virginia, (Mr. Randolph), that it is necessary to protect manufactures—he will deny the whole hypothesis; if, then, implied powers are to be used because there is a necessity, by whose opinion or what rule

will you test them? We can agree as to what is contained in the constitution, but cannot as to what ought to be there—what is proper and necessary. That its framers did not intend that new sources of power should be opened by construction—that the parties to its ratification did not so intend it, is manifest from this—all the important powers necessary to put this government into operation, to give it strength, vigor and permanency, are expressly delegated; but they are guarded by checks in the same instrument, and the amendments, which are a part. But to constructive powers there are none; perfectly undefined, they are incapable of limitation or control, except by the same discretion which brings them into existence: the safety of the people, the security of the states, rests not in the great charter, but your pleasure—your opinion of what is proper and necessary. When a power is claimed which is admitted by its advocates to be capable of no limitation but your discretion, your opinion of its necessity, propriety, or expediency,—words which mean any thing or nothing, I at once deny it as not contained in but subversive of the constitution—as inconsistent with its vital principles. Taxation, the all-important power, must be uniform—its application is prescribed; but there can be no bounds to this claim to interfere with the internal policy of a state; it applies to one as well as to another subject—to all as well as any one. It is not to be believed that the states should, in the tenth amendment, declare all powers not delegated reserved to them or the people, yet leave their whole internal policy, their domestic relations, at your mercy. Their regulation formed none of the objects of the confederacy—states could regulate their internal affairs,—but it was necessary to create a government to whom should be confided the foreign, general and federal concerns, such as related to the whole, not to any one part. I admit that when a measure comes home to our feelings of humanity and philanthropy, there are strong temptations to the exercise of a power—we feel desirous of finding it somewhere:—there is no subject on which we ought to be more guarded. Precedents will not be without their influence; you find them relied on to support this amendment—observe their progress, the danger of adopting them: you are called upon to impose this restriction on Missouri, because the ordinance of 1787 imposed it on the North Western territory; yet one was a wilderness—Missouri is a settled territory, organized and governing itself: you imposed them in relation to public lands, &c. therefore it is said you may impose this—if you can impose one condition you may another—if on one subject, on all alike. Can there be a more dangerous principle which thus leads you to enquire not what the constitution authorizes, but what congress have done? Not to make that instrument, but our own legislation, the test, the evidence, the boundary of our power? You begin by implying a power from the constitution, by a doubtful, far-stretched construction, that becomes as supreme and less limited than an express one,—from that you imply another, equally supreme with the first implication, equally necessary and proper; that begets another—thus you go on, indefinitely, adding implication to implication, construction to construction; each new implied power the centre of a new system, the germ of new ones, like wire-grass, taking root at every joint, each root prolific of scions, each pointing to the original stalk, forming a part of the original system. Your constitution will soon remind us of the genealogical tables in Blackstone's com-

mentaries—like the common ancestor, John Stiles, propositus, placed so high in the table, you cannot see him; his descendants, their children's children even to the twentieth generation, branching out till they would cover these walls: their features or affinity could be traced or recognized, not by their resemblance, but only by their reference to the common stock. This is no fanciful comparison,—the case cited by my colleague shews it to be founded in fact; he relies on the precedent of the bank as authorizing this amendment. It will be instructive to trace this doctrine of constructive powers in the history of this institution: when it was first chartered, it was thought an assumption of power; the right to create corporations, to grant charters, could not be found in the constitution, but it was necessary and proper: when the charter expired it was neither necessary, proper, or constitutional to renew it. In creating the present, it was necessary and proper that the charter should be sold—1,500,000 dollars were paid in consideration of the exclusive privilege: there is a new implication; a charter is granted, not because necessary for the operations of government, but because we were paid for it—we received our price and closed our bargain. This is a specimen of legislation by condition, bargaining, trafficking, huckstering. I had never before thought that the powers of this government depended on the price to be paid on their exercise; but a third implication was necessary and proper. Future congresses might not like this bargain, but wish to make their own—they, too, might be disposed to sell charters; to prevent this, in violation of the first principles of legislation, which forbids one legislature from doing an act derogatory to the powers of succeeding ones, the charter contains a clause intended to give it life and continuance, but which, in my opinion, contains the principle of its destruction. Future congresses are bound up for twenty years to grant no other charter to any other bank; thus not only creating and selling a bank charter, but a monopoly for twenty years. Monopolies are odious in free countries; the sale of them is certainly a new feature, if not in the constitution, at least in the practice of our government, even if called for by the public exigencies; and if this fails in effecting the objects of its creation, and for this exclusive monopoly the faith of the nation is pledged, will the friends of this bank say whether this charter is repealable? They are authorized to make by laws—is that authority revokable? If not, will they tell me by what authority you now claim to make laws for Missouri, after giving her a charter to make them for herself? or, are the high powers of legislation and self-government, revokable at your pleasure? the faith of a nation only pledged to protect pecuniary rights? Are the free people of a territory to become your slaves—monied monopolists the favored, the exclusive objects of your protection? rights to be secured in an inverse ratio to their value? With this pledge, legislative ceased and judicial implication began; the supreme court have not only declared the charter valid, but have decided that the bank has some exemptions and privileges of a kind so universal as to become subversive of the rights of the states—that the corporate stock of the bank cannot be taxed or the corporation compelled to contribute their share to the burthens of state governments. As this government had a right to create it, it has the power to protect the corporation—if states have the power to tax, they have the right to destroy, to impede our operations and the execution of our laws, the collection and safe

keeping of the revenue; that as congress may, in the exercise of their discretion, create a bank which they may think necessary and proper for national purposes, so the corporation may create branches to suit theirs, locate them where they please, deriving a revenue and profits from their operations protected by the states, yet their power of taxation confined to the real estate in which it is located, or the stock owned by its own citizens. Thus the creature of our creature, a branch of a corporation, is invested with the same privileges as the corporation itself—the one deriving its existence from their mere volition, the other sanctioned by the three branches of the national legislature, acting on their high responsibility, yet all alike are judged the legitimate children of the constitution—all equally favored and protected. Where, sir, is this principle of construction and implication to end, if the mere machine of a corporation is thus to be made a part of the machinery of government—if charters and sub-charters may thus be made ad infinitum, what security is there that the commerce of the country will not be in the hands of chartered monopolists? The termination is easily seen—you already hear, not from papers and mere idle talk, but from members of this house, the expression of usurpation of states applied to the incorporation of banks—strange effect of the rapid strides of implied powers, that the creation of banks by congress is now a power so supreme in them as to destroy and turn into an act of usurpation a right claimed and exercised by every state in the union,—which they have not only never surrendered, but never delegated to you! Congress have express power to regulate commerce—what objections could be made to selling to a corporation the exclusive privilege, for twenty years, of commerce with foreign nations, between the several states, and the Indian tribes? We have heard of the Archimedes of logic; it was a saying of this mathematician, “give me a place where to stand and I will move the world.” Make but a beginning, give but a fulcrum on which implied powers can operate, you shake and destroy the constitution. Against this principle, in all its effects, I ever have and will contend; whether it emanates from the Hartford convention, aiming at political power, or under the more imposing and seducing garb of humanity, both having a common object. Restraints and conditions on new states are subjects where the constitution confers no authority. Against constructive powers I will always protest—Pennsylvania always has protested; she gave instructions against chartering this bank, and from the decision of the supreme court she has appealed to her sister states, to arrest the progress of a principle destructive of the sovereignty of all.

I should not have dwelt thus long on the bank had not my colleague cited it as a precedent to justify this restriction—I shall say much more on it when the house will consider the amendment to the constitution which, in pursuance of instructions from the legislature of Pennsylvania, I have had the honor to present. I hope this may be the last time we or this nation shall be agitated by the discussion of implied powers—the consequences of this have become serious, and will not soon subside: it is not confined to the admission of Missouri, but has led to that most dangerous of all decisions, local ones; the question has in the public mind become one involving not so much slavery but slave representation—even here the principles contended for lead to emancipation, though their application to the old states is disclaimed: but in the papers, in legisla-

tive bodies, the ground is openly and publicly taken, that there is no slavery in the United States. Eminent members of the New York legislature have declared all the blacks free, that the supreme court would declare them so;—these gentlemen have been distinguished members of this house and may be so again. The legislature of New Jersey have, in their instructions to their delegates here, declared, that congress has a “general power over the subject of slavery,” and that too under that clause of the constitution relative to migration, &c. which has been abandoned in this discussion as not authorizing this restriction. What security, what pledge can be given, that these doctrines will not be advocated within these walls? It requires but one election to procure such a change as will make the question not restriction, but emancipation.—Once begin to legislate on this subject, like all constructive powers, they will be progressive; implied powers never retrograde—once break through the constitution and resort to abstract principles for rules of construction and the boundaries which separate the powers of government, there is no safety or security; foundations are broken up, the common bond which unites us is dissolved when the constitution ceases to be a law for us, when our own laws are no pledge of security. Be assured, sir, we cannot stand many such shocks as this—that this government can never continue if this doctrine of construction is once established; the precedent once made, the series of legislation once begun on the subject of slavery in an old state or an organized territory, you will not stop short of universal emancipation. The greatest danger in a federative government is from the growth of power—the effects of consolidation by the gradual extinction of state rights and sovereignty—emphatically so when the apology for their assumption is the cause of humanity. When this subject which now agitates and convulses the country was started by men whose objects were avowedly political, it caused no excitement—it was put down by the almost unanimous voice of the people: now it is renewed with other avowed motives, and one half of the union is arrayed against the other. Constitutions are necessary to restrain bad men in bad times; the good, the virtuous, may follow the impulse of beneficence—But who are bad men? what are bad times? History tells us that all nations have seen them—but it is after the actors have passed away; those who administer a government never acknowledge themselves bad or the period of their dominion a bad one.

When Cromwell despoiled the parliament and overturned the constitution of his country, it was in the name of religion and liberty. Tyrants and demagogues never avow themselves so, never want pretexts or specious excuses—not power, but the good of the people; but when their acts have passed into history, they are understood—the principles and motives of the actors, the character of the measure, is duly appreciated. Such a question as this has never arisen since the formation of our government—the nation looks to its decision with infinite anxiety; you here see history represented before you, to remind you that your proceedings will be impartially recorded. Posterity will judge of us—and be assured, if this is destined to be the least republic—if, like all others, ours shall pass away, this question will not be noticed as among the least causes which have contributed to its destruction. When this constitution shall cease to be a common bond of union among the states, it will be by a consolidation—its overthrow will be traced to

implied constructive powers—Your decision of this question will be a precedent of the highest kind, not merely as evidence of the extent of your constitutional powers to impose conditions on new states in relation to their internal concerns, but that in the exercise of your discretion you are not limited by treaties and your own laws. The people of this country have hitherto felt a complete security in the enjoyment of rights built on the laws, the faith of the nation—you now tell them these are revokable, held only at your pleasure. The doctrines advocated, the reasoning urged to support this amendment, will alone be remembered—the disclaimer of their application to the old states will be forgotten or disregarded—your successors will be as free as you are, not bound by your declarations: The impulse which now urges you to establish this precedent, increasing by success, will, with renewed force, excite those who come after you to follow it up, till all the feelings of the moment, whether of political power or philanthropy, and in all their changes from one to the other, are fully gratified. This amendment becomes a new constitution as a new source of power—it will be construed, refined and stretched to justify any usurpation on the people or the states.

☞ We have been requested to add the following note to Mr. Baldwin's speech, given above: but the length of the extracts, whose insertion is desired, and the fact that most of our readers who wish to examine them, (being in possession of complete sets of the REGISTER,) may do so at pleasure, has determined us to dispense with them—and, besides, though the Missouri question is, in our opinion, if viewed in all its parts and bearings, far the most important which has arisen since the adoption of the constitution, yet so much has been said and printed about it, that we fear the patience of most persons is exhausted, even with so much of the matter belonging to it as we have thought it an indispensable duty to preserve in this work.

* * * "As the question of *slave representation* has been connected with the Missouri restriction, and perhaps been one cause of the general interest and feeling excited, it may not be improper to publish the opinions of the legislatures of Pennsylvania, New-York and New-Jersey, on the propositions from the Hartford convention on this subject. It is, indeed, necessary, as the preamble to the Pennsylvania resolutions refers to the admission of Missouri, "which has a palpable tendency to impair the political relations of the several states."

Insert, from the REGISTER, 8 vol. page 16, the *New-Jersey* answer, from the words "their obvious tendency," &c.; *Pennsylvania*, 8 vol. page 65, from "the amendments as far as they relate," &c. to the end of the answer on this proposition. *New-York*, 8 vol. page 100, in the second column, near the bottom of the page, from "your committee would further remark," &c. to the end.

The public will judge how far the revival of this question now will have a good or bad tendency. If the object is at present not political but humanity merely, it is not unworthy of remark, that, in the District of Columbia, where congress has exclusive jurisdiction, slavery should be permitted without a proposition for its mitigation ever having been made."

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The lord mayor, aldermen and commonalty of

the city of London, have addressed the queen, expressing their loyalty, attachment and regard, and condoling with her on the various afflictions she had sustained, since her departure from England, as also expressing a hope that the unfortunate difference between her and the king, might be honorably arranged, and hoping that the investigation might be conducted in an open and impartial manner, and terminate in a complete vindication of her majesty's honor.

The queen replied to the address as follows:

"I return you my heartfelt thanks for this dutiful address, which is both loyal to the king and affectionate to me.

"If any thing could lessen the grief, which I must still feel for the loss of those dear relations, of whom I have been deprived since I left England, it would be the proofs I now receive, upon my return, that their memories are cherished as their virtues deserve.

"In the new trials to which I am exposed, my first duty is to vindicate myself, and my next wish is to see nothing attempted that may hurt the feelings of others.

"But in all the troubles, through which I have passed, the generous attachment of the British people has been my safeguard against the king's enemies and my own; and be well assured, that nothing can ever weaken the grateful impressions of such obligations."

Speaking of the queen, the *Times* of the 16th observes:

"It may be difficult to see very deeply into a subject purposely involved in darkness and obscurity; but we apprehend there is little doubt of the negotiation terminating as all friends of the house of Brunswick, and of the permanence of the throne, wish: and expect."

A great number of the electors of Westminster, have petitioned the high-bailiff to call a public meeting at the palace yard, for the purpose of congratulating the queen on her return. The bailiff refused his assent to the proposition, until the sanction of higher powers should be obtained.

The speeches and debates in parliament, respecting the queen, are very important to the people of Britain, and of some interest to those of the United States. Though we cannot make room for them, we shall carefully note results, as belonging to a history of the times. The *Courier* denies that a secret investigation of her conduct is intended. That paper, of the 16th of June, is nearly filled with an account of the king's levee.

The presumed charge now urged against the queen is of adultery, committed without the realm. It does not amount to *high treason*, inasmuch as it is so supposed to have happened; yet Castlereagh, well versed in those things in *Ireland*, can produce witnesses to prove any thing which he desires.—This is an evasion—the king knows that he dares not do any thing that would bring her to the block. We trust that this injured woman will remain firm, and at least humble the "royalty of England."

The news of the rejection of the tariff bill by congress had reached England, and caused much joy there.

A motion to reduce the army to 80,479 men, has been negatived. Mr. Hobhouse said that, if the proposition was to abolish it altogether, he would vote for it!

The undecreded debt of England, on the 5th of January last, amounted to 836,246,923*l*, and the total annual charge amounted to 49,592,152*l*, which has since been increased by the late loan.

The dock-yard sea-wall, at Plymouth, England, which has been carried on for upwards of four years by means of a diving bell, is at length raised above low water-mark. The foundation lies at the depth of from seven to eight fathoms, and is composed of oak timber and stone. The wall is ten feet thick, built of square bricks of Dartmoor granite and cement.

It is agreed, that the farmers of England cannot cultivate the earth unless the price of wheat is forced up to ten shillings sterling per bushel--because, except it will bring that price, it is impossible to pay the taxes, rates and tythes, though it might be obtained for half the sum from other countries!

The earl of Liverpool has stated in the house of lords, that the deficiency of British exports to America, amounts to £3,100,000, annually, on an average of three years. This he attributes to the great distress that prevails in the United States--saying that we are retracing our immense strides, and falling to the original situation we held twenty years ago--but he thinks that we must *always* depend, in a great degree, on British manufactures for a supply. His lordship is mistaken.

It is believed that two-thirds of the people of England very rarely eat animal food. There is not one hundredth part of the population of the U. States who do not eat it daily, if they please.

The visitors to the British museum have amounted to 63,253 in one year, though during two months in the year, it was closed, and, at other times, only opened three days in the week.

We have an indistinct account of something like a mutiny in a battalion of "the guards"--but it is said they returned to duty, in spite of some cries of "long live queen Caroline," by the populace.

A petition from William Cobbett, farmer, was presented in the house of lords, June 8th, by lord Holland, complaining that by the rise in the value of money consequent upon the act for the resumption of cash payments, the sum (£13,000) for which he had mortgaged the estate he had bought at Botley, (and for which the executor of the mortgagee now threatened to foreclose,) was equivalent now to nearly double the amount. He therefore prayed to have the value of money again reduced, or such other relief as the house should seem meet. Ordered to lie on the table.

The London Morning Post is exceedingly uneasy under a report that sir Francis Burdett had been invited to review the yeoman cavalry of one of the counties, and is very anxious indeed to be enabled to state that the report is untrue!

A great dinner was lately given at the Crown and Anchor tavern, being the 13th anniversary of the "triumph of Westminster"--400 persons were present, sir F. Burdett in the chair. The first toast was "The sovereignty of the people, the only source of legitimate power," which, with that of "the queen," was drunk with great applause. During the sitting, a very splendid vase was presented to sir Francis, as a token of respect from the people of the parish of St. James.

Forty five thousand newspapers are published in London every Sunday.

The salary of the lord lieutenant of Ireland is 30,000*l.* or £133,200.

Sir Charles Wolesey is confined in the jail at Abington--Mr. Hunt in that of Ilchester. They appear to be well treated, except in the loss of liberty.

The coronation. Mighty preparations are making for the coronation. We shall collect together some of the *quac* things which are going on. The fronts

of houses, to see the procession, are already engaged, some at 2000 others at 2,500*l.* A certain spot of ground has been rented at eight guineas a foot, for the purpose of fixing seats upon it, and 10, 15 20 guineas are offered for a seat!

Banks--no less than eleven have failed in the south of Ireland, and the distress thereby caused has reduced thousands to a "state of starvation." Their bills formed the circulating medium of the country, and the people would not bring their articles to market lest they might be seized by the hungry populace. The notes of one firm in circulation exceeded 500,000*l.*—£2,200,000. A 5*l.* note has been offered for a leg of lamb and refused. Credit was refused to the best men. A person who had a 10*l.* note of the bank of England, because he could not get it changed, was actually compelled to defer a dinner which he was to have given to some of his friends—he could not obtain the several small articles which he wanted! Such is *glorious banking*! Several houses in London and Dublin have stopped payment in consequence of their connection with these banks. The amount thrown out of circulation by their failure, is estimated at 1,100,000*l.* Parliament have granted 500,000*l.* to assist in arresting the effects of such a state of things.

The champion of England. As a part of the farce of a coronation, a man rides in the procession clad in a full suit of armor, who is called "the champion of England."—On a certain occasion the earl marshallsounds a trumpet and says, "If any person, whether he be high or be low, deny that ——— is the rightful king of England, I, as the king's champion, am ready to prove him a false traitor," and then he throws down his glove! This is a grand affair; but the matter would look very foolish if some one were to take it up, and we should have a hearty laugh if it were done on this occasion. This office belongs to the possessor of the "manor of Scrivelsby; who may be man or woman, white, red, or black. The present owner is a clergyman, who designs to act by proxy. We have the following "notes of preparation" from a London paper—"A person has been in training ever since the death of George III. to act as champion at the approaching coronation, the health of the lord of the manor of Scrivelsby rendering it necessary to perform the service by deputy. A long training is necessary to inure the champion to the extreme weight and cold of the armour. He begins by wearing one piece for three or four hours a day, when he can bear that he puts on two, and so on till he can bear the whole."

Scotch representation. On a motion made by lord A. Hamilton, in the British house of commons, for a reform in the Scotch representation, he stated that, as the qualifications did not depend at all on property, it was possible for the whole representation of Scotland to be in the hands of those who did not possess an inch of land in the country, while the whole landed property of the country might be in the hands of those who had not a single vote.—Mr. Hume added that the whole number of qualified voters, for the 30 Scotch counties, was 3,600, and mentioned one county where there were but 20 votes, of which 18 belonged to superiorities perfectly detached from the land. Mr. Abercromby stated, that in England every man having a freehold of 40*s.* in the county, had a right to vote, while in Scotland a landed proprietor worth 10,000*l.* per annum, not only might not have a right to vote, but might be disqualified from being elected.

[Yet though so small a freehold makes a voter in England, even in London there are only 7,000 votes,

in the great city of Liverpool but 2,500, and in several other large cities from 300 to 1,000. In some of the boroughs two members are made by less than a dozen votes!]

A great affair. George IV. has been graciously pleased to dispense with the ladies wearing hoops at the drawing rooms.

Army and navy estimates for the year 1820.

Army.—The total strength of the army, including 19,899 on service in India (the expense of whom is borne by the East India company): is 112,485.

The number to be provided for on the home establishment is 92,586, to which there must be added, for corps remaining to be disbanded 676, making the total 93,262. The total charge for this force of 93,262 men is 3,775,586*l.* 2*s.* 2*d.*

Exclusive of this regular force, there are volunteer corps, whose numbers are not stated, but for which an additional charge is made of 169,500*l.* 13*s.* 10*d.*

The expense of the regiments in India, which is borne by the East India company, is 647,907*l.* 13*s.* 3*d.*

Of the regiments in India, two have been ordered home, the 21st and 22d light dragoons. The 21st have already arrived (on the 6th of April last), and the 22d are expected to arrive by the 24th of June.

The estimate for the royal military college is 21,471*l.* 16*s.* 9*d.*—for the army pay of general officers 178,753*l.* 2*s.* 6*d.*—for garrisons, 34,638*l.* 6*s.* 2*d.*—for full pay of retired officers, 89,594*l.* 10*s.* 3*d.*—for half-pay of the military allowances, 819,999*l.* 3*s.* 4*d.*—for foreign half-pay, 125,289*l.*—for pensioners of Chelsea and Kilmainham hospitals, 60,135*l.* 14*s.* 2*d.*—for out-pensioners of ditto, 1,087,680*l.* 11*s.*—for the royal military asylum, 35,500*l.* 13*s.* 10*d.*—for widows' pensions, 114,882*l.* 4*s.*—for compassionate list of bounty warrants, and pensions for wounds, 178,370*l.* 12*s.* 1*d.*—for reduced adjutants of local militia, 20,495*l.* 12*s.*—for superannuation allowances, 39,235*l.* 18*s.* 3*d.*—for exchequer fees, 35,000*l.* Total of these supplementary charges, 2,841,047*l.* 9*s.* 4*d.* The grand total to be provided for army services in 1820, is 6,807,466*l.* 6*s.* 6*d.*

Navy.—The first of the estimates for the naval service of the year, includes the salaries and contingent expenses of the admiralty, navy pay, navy and victualling officers, of the officers of the home yards, the out-ports, and foreign yards, and other naval establishments; and of the wages and victuals to officers, ship keepers, and the men serving on board vessels in ordinary; the charge of harbour mooring, and rigging; of the ordinary repair of ships in harbor, and of the docks, wharfs, &c. Total charge of these various branches of expenditure is 1,228,008*l.* 14*s.* 6*d.* But there is an abatement on account of old naval and victualling stores received in 1819, of 263,820*l.* which reduces that total to 964,188*l.* 14*s.* 6*d.*

The second part of the estimates, including superannuations and pensions granted to officers, their widows and relatives, bounty to chaplains, compassionate list, and royal naval asylum, amounts to 1,150,370*l.* 9*s.* 9*d.*

The third part comprehends the superannuations and pensions granted to commissioners, secretaries, clerks, and others, in the civil departments of the navy. Its amount is 102,186*l.* 19*s.* 8*d.*

Grand total of the navy estimates for 1820, 2,216,746*l.* 11*s.* 3*d.*

FRANCE.

The papers are filled with riotous proceedings in the chamber of deputies, as well as in the streets of

Paris. The chamber is very much like a mob. It is therein that the opposition express their sentiments, because the censors of the press have no controul over what happens there; and thus it is that the legislative body is made an instrument to tell the people "the news!"—letters are read and speeches made which appear to have no other object: these are warmly repelled or replied to by the ministers, and great disorder prevails. The city is filled with seditious cries. Many little battles take place between the people and the troops, in which some are killed. The army yet remains faithful to the king's ministers; and its force at Paris is very considerable, under the command of marshal Oudinot; who was injured in one of the affrays. The streets are paraded by the national guards. The king has thanked the officers of several corps for performing their "duty." An officer, decorated with the star of the legion of honor, had been found in the Seine, supposed to have been knocked off his horse by the populace, and thrown into the river. An attempt was made to fire the house of "her royal highness, madame," by throwing in combustibles through a window, and partially successful in the place to which they were communicated. This state of things cannot last.

We see by the following that the election law has passed: "*Calais, June 13, 11 o'clock, P. M.*—A telegraph despatch was received here this evening at 8 o'clock, informing us that the famous law concerning elections, has passed the chambers—152 for it—95 against it—57 in favor of ministers. All was quiet this morning in Paris."

This law, so long debated and so warmly supported and opposed, is considered by the liberales as a gross violation of the charter, which the king bound himself to support. It makes an essential change in the manner of electing the deputies, by interposing an electoral college between the people and the deputies, &c.

Louvel, the assassin of the duke of Berri, was decapitated, without the torture. A Paris paper gives the following as a speech made by him when he was condemned by the chamber of peers:

"I have to-day to blush for a crime which I alone committed: I have, however, in dying, the consolation of thinking that I have dishonored neither the nation nor my family. I ought to be considered as a Frenchman, who has devoted himself to be sacrificed, in order to destroy, *in virtue of my system*, a portion of those individuals who have taken up arms against their country. I am accused of having deprived a prince of his life—I am alone guilty; but among the men who hold the reins of government, there are others as guilty as I am; they have proclaimed, according to my notions, crimes for virtues: The worst governments which France has had, have always punished those who betrayed it, or who carried arms against the nation."

The state of the press may be partially judged of by the following incident: a young man named Lallemand was killed by the royal guard in one of the affrays, and he was defamed in the journals. His father attempted to publish the facts to vindicate his son from a false statement; but the censors would not allow it to be printed—and so a letter on the subject was read in the house of deputies, to give publicity to the facts!

The French post office recently withheld two sets of Spanish papers from the editors to whom they were addressed; and when the conductors of one of the liberal journals introduced a paragraph to announce the circumstance to the public, the ar-

article was struck out by the censor! Thus has already happened what a person would have been thought a madman a few months ago to have predicted—the circulation of *Spanish* journals being prohibited in France!

The press in France. A most severe sentence has been passed upon the editors and other writers in some of the French papers, for *proposing* a subscription in behalf of those who might suffer under the late violation of the charter. Five of them are to pay a fine of 6,000 francs, and suffer five years' imprisonment! And nine more to 12,000, and to suffer the same period of bondage! They are all further condemned to pay the costs of the prosecution, and of the printing and posting up of five hundred copies of their sentence. Why this is pure raving revenge! The government must be growing intoxicated with the consequences of its own errors; but such things, in such times, will surely only hasten some very awful waking moments. Among the former class of sufferers, is Etienne, one of the most celebrated writers of the *Minerve*. *Lon. pap.*

The Parisian opposition newspapers, (says a London newspaper,) present a curious appearance at present; in every column almost, you see a hiatus of ten lines or more, wherever the censors have objected to the article. Thus the journals are like fragments of political essays, and the reader is left to fill up twenty blank spaces in every sheet, according to his imagination.

There is a long article in the London Morning Post, on the "alarming state of France," which pictures the country as on the very eve of a revolution, and says that "Paris exhibits now the features of August, 1792"—that the people talk of bringing back Napoleon from the rock of St. Helena, by laying hold of all the Englishmen that they can catch, and keeping them as hostages, &c.; and the English in France are advised to "return home without delay." The picture is, most probably, much too highly colored.

SPAIN.

All religious communities are forbidden to admit any member—nor are they to sell, exchange, or otherwise dispose of the property which they now possess. The king declares, that he wishes convents should be in future, asylums for the virtuous and unfortunate, not receptacles for the lazy and thoughtless.

The archbishop of St. Jago has given a gift of 340,000 reals towards the clothing of the troops.

The elections for the cortes were going on. Those who suffered under the late order of things appear to be generally chosen; and hence, as before observed, we expect a great collection of *feeling* in that body at its meeting.

Several political clubs have been formed at Madrid, which, like those which existed in Paris during the revolution, appear to have taken upon themselves to decide on most important measures. As an instance, they demanded the dismissal of one of the ministers, and it seems that he was about to resign. Rational liberty is not to be promoted by such proceedings. Nothing but anarchy can grow out of them. Some of the later proceedings of the club had been successfully resisted.

The king, and princes of his family, lately partook of a civic feast given by the officers of the corps of engineers and artillery, united. Among the toasts drank, was "the sovereignty of the Spanish people." The patriotic airs, composed for the troops under Quiroga, while in rebellion to the king, were played on this occasion! A great crowd attended to wit-

ness the singular spectacle of a king of Spain thus engaged. Ferdinand is quite a politician.

A steam-boat, called "*Quiroga*," lately departed from New-York for Havana.

It is understood that Spain has renewed her pledge to England, as to the abolition of the slave trade—and it would seem that the price of this, was a pledge on the part of England, not to desire the immediate emancipation of South America.

The Spanish merchants in London, have waited on the duke de Frias, the new ambassador from Spain. In answer to their congratulation on the happy events in Spain, the duke said—"It gives me pleasure to assure you, that the king is as sincerely attached to the constitution as any man in the country. Spain, I trust, will now become the abode and asylum of rational liberty, where persons from all parts of the world may find protection."

The plague is said to have broken out in Majorca.

ITALY.

We have great news from Rome. It seems certainly to be a fact that the pope, (who is represented to be a liberal minded man), has permitted the Calvinists to administer the sacrament, in a church open to the public! There are many speculations about this procedure.

RUSSIA.

Twenty six thousand dessalines of land (a dessaline is 2,400 square fathoms) are to be assigned in the south of Russia, for the Jews who became converts to Christianity; a guardian or curate is also appointed expressly for those colonists.

TURKEY.

We have some additional accounts of the progress of Ali Pacha—this is the inhuman wretch to whom the merciful British sold the people of Parga, one of the most infamous transactions on record.—He appears to have rendered himself pretty strong, but as he has not a fleet, there is no hope of the capture of Corfu by him, and the sale of the British governor and garrison to the Arabs of the African deserts, though he may, perhaps, shake the Ottoman empire.

AFRICA.

The Niger. The opinion appears to be gaining ground in Europe, that this mysterious river, to ascertain the termination of which so many unsuccessful attempts have been made, and so many lives lost, flows into the Nile. In closing a review of the first volume of Buckhardt's travels, the quarterly has devoted several pages to this subject, and has at all events, collected some circumstantial evidence tending to establish this important fact. Mr. Buckhardt was repeatedly assured that the Niger of Soudan and the Nile of Egypt were one and the same river, and the reviewers say that, the same opinion has been repeated by every Arab merchant and black pilgrim in north and western Africa. The Egyptian slave merchants, also, confirm this opinion, by saying that the fact is not to be doubted.

Com. Ad.

WEST INDIES.

A letter from Havana says—"We are quietly choosing our representatives here; and the citizens are now all armed and pretty well trained; patrol duty is performed by them every night, although we have 6000 troops here of the army, part of whom I wish away as soon as may be.

"The people are yet children in politics. Should the government change in Spain, this island will maintain her independence.

"We are apprehensive of some disturbance in Mexico, the viceroy not having proclaimed the

constitution; the royal order has, however, I understand, gone down."

SOUTH AMERICA.

Several American vessels were at Rio de la Hache when it was captured by the Independents, under admiral Brion. One of these has arrived at Newburyport, after being plundered of 50 or 60 bbs of flour. The captain reports that 700 creole troops deserted the patriot standard at Rio de la Hache; and that the Irish soldiers, to the number of 800, refused to do duty. With their arms in their hands, they insisted on being transported to Jamaica, and carried their point, which island they reached in a miserable condition—with nothing but their arms, which they would not give up. Previous to the departure of the squadron, the town was fired in several places and nearly reduced to a heap of ashes.

Accounts from Lima, via Panama, have been received— which state that sir Thomas Hardy's squadron was daily expected at that place; and a report also, that admiral Cochrane's flag ship, the O'Higgins, had been wrecked.

By an arrival from Jamaica, it appears that gen. Devereux, and his suit, has arrived at that island. He went first to Margaretta—there was nobody to receive or provide for him there, and he proceeded to Rio de la Hache, whither the troops of his legion had gone—he found the place in possession of the royalists, and determined to bear away for Jamaica, where he very unexpectedly found the men which he was in search of, as mentioned above. The arrival of those persons, without the means of subsistence, has created no little difficulty at Jamaica.

CHRONICLE.

The *Constellation* frigate has left New York for a three years' cruise in the Pacific ocean. Her commander is Charles C. Ridgely; she has 8 lieutenants, 31 midshipmen, and the other usual officers.

The United States schooner *Nonach*, lieutenant. Turner, has sailed from Norfolk for a cruise on our southern coast.

The *Congress* frigate was at Manilla (Phillipine islands) in March last, and expected to sail in 10 or 12 days for Macao. Our flag and officers had been treated very respectfully at Manilla.

Walsh's appeal from the judgments of Great Britain. This celebrated work has much occupied the attention of the British reviewers, and from what we have seen, the castigation which he has given them will be very useful, especially to the editors of the *Edinburgh Review*, who appear severely to feel the force of Walsh's remarks upon them. But the Scotchmen get "*back again*" very awkwardly, though very eloquently, and seem to have exerted all their talents to excuse themselves.

Counterfeit notes, on the Central bank of Georgetown, of the denomination of \$100, have lately appeared. They are so well done as to deceive almost any one, and the bank has very properly resolved to call in those that are out, and issue no more from the old plates.

Flour has recently been sold at Cincinnati for \$2.25 per bbl. "good money." The crops of grain have been exceedingly heavy in the western country.

Company at sea. Two ships arrived at Baltimore on Sunday last from Liverpool—they sailed from thence at the same time and never were out of sight of each other during the whole voyage.

Patriot recruits. About 20 seamen succeeded in eluding the vigilance of the officers at Charleston, and went to sea to join Almeida's privateer; but they were afterwards taken by the U. S. schooner *Tartar*, and brought back, examined and committed to prison.

A pirate—with a crew of many nations, chiefly Spaniards and French, is off the coast of Florida, and has robbed several vessels.

A robber lately fired upon a traveller, without warning, as he was on the road from Bowling Green to Russellville, Ky. but missed him though he shot the horse. The traveller disengaged himself, and rushed upon the assailant, threw him down, seized on his arms, and with the robber's own pistol, blew out his brains!

Churches. There are thirty places of public worship in the District of Columbia, some of them very handsome buildings, for a population of about 30,000 persons, in all.

Death. A person named *Woodruff* lately died in New-York. He was much given to intoxication. He was sick, but told his friend that an angel had appeared to him, and directed him to remain beastly drunk for nine days, when he should get well. So he bought a barrel of whiskey, and drank a gallon per day for the limited number of days, without eating any thing, and then he was in such a weak state that he could not take any nourishment, and died.

The *Winnebago Indians* have delivered up to the commanding officer at *Prairie du Chien*, the Indians who killed the two soldiers of the rifle regiment at fort Armstrong, on Rock Island, in the month of March last.

Canal and lake navigation. On the 18th ult. the large and elegant new boat governor Clinton, belonging to H. Taylor, esq. arrived at the west shore of Cayuga lake, opposite Trumansburg, in three days from Utica! This boat is 50 tons burthen, and was laden with merchandize, and performed this trip of 130 miles in three days, without a change of horses.

Salt mines of Meurthe. The researches for the discovery of rock salt, which commenced in July last, at Moyenire, in the department of La Meurthe, in France, are carried on to advantage. After exploring to the depth of 200 feet, and reaching the first layer, which is 11 feet in thickness, the workmen had to perforate a bed of gypsum and clay of 546 feet, when they came to a second stratum of salt, eight feet in thickness. It is intended to remove the researches to two other neighboring points, to ascertain the breadth and magnitude of the whole bed. The two points form a triangle nearly equilateral, each side of which may be about 6 or 700 toises in length. One of these points is the city of Vic, and the other to the south of it. On this latter point they have already pierced to the depth of 26 feet of vegetable earth: the orifice of each bore is 3½ inches, which constantly fills up with fresh water. The salt of the first bed is extremely white, and transparent as rock crystal. It is likewise very pure, and free from every noxious or terrene substance. The second appears to be intermixed with gypseous or argillaceous substance, but in a very small proportion. This salt is brown, not unlike a clouded flint; both the kinds are very compact, well crystallized, the fractures cubical, and the saline taste superior to that of any salt obtained by evaporation. It contains but very little of muriate of magnesia or of sulphate of lime.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY S. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE AUCTION BILL. By the publication of Mr. Baldwin's speech on this bill, our readers are now possessed of the reasons and views of the committee of manufactures, on the several subjects presented by them to the consideration of the house of representatives.

AMERICANS AT SEA. There is a boldness of design, and a facility in the execution of whatsoever belongs to "a life on the ocean," in the American seamen, which seems to realize the boast of Britain, that "*her home is on the deep*," if applied to her descendants, the people of the United States, whether we refer to their works of peace or of war. The *generation* of this mastery in spirit and perseverance justly belongs to our eastern brethren, especially the people of Massachusetts—inhabiting a soil rather sterile, and penetrating every region to bring its profits to their own fire-sides. But nearly a common feeling now pervades the entire body of our seamen and commercial men—with shades of difference in their pursuits, but all actuated by the same principle of attempting to do what any other persons have done—and more.

We instructed the world in the wealth of the deep, and opened the mine of riches in the fisheries. The north no longer yielding much profit, our countrymen dashed to the south, doubled Cape Horn, till then the terror of navigators, pursued the mighty whale into the Pacific, and thought no more of "a voyage round the world" than an excursion of pleasure, "a visit for a week!" A little two-masted boat has been seen at Canton, with nothing else to sell than a few barrels of cider, and an oven constructed to make up various sorts of cakes, for which the materials were on board; and I, myself, have seen a small sloop which had been more than 1500 miles up the great river Amazons, from whence she returned via China, where she just put in to dispose of her cargo, and bring home some teas and other "notions." One of the celebrated European navigators, (whose name I forget, though the fact is fully impressed on my recollection), thought he had discovered an important river, or inlet, on the north-west coast of America—but, after sending his boat many miles into the interior, they found there a small craft, and a number of Americans working as blacksmiths, making axes and hatchets for the Indians—and who, upon enquiry, had been at that place "many a time," without thinking that there was the least merit in the adventure. During the late war, it is well known that the skill and courage of our seamen transformed "fir built frigates" into "non-descripts," or ships of the line, and that their genius and understanding effected escapes for them from superior force which no one before thought was practicable;—"wind and wave" was familiar to them, and in many chases of our fast sailing schooners, their whole decks have been for hours cover with the sea!—they would not douse the "striped bunting," but carried their enormous weight of canvas at seasons when ships of the line were under close-reefed topsails, it blowing a gale! Our frigates were soon *imitated* by the enemy, but our flying schooners were unmanageable by them, and yet peculiarly belong to us—no one but an American can sail them with reasonable safety. The

ships of the line, lately built and building in the United States, have again excited astonishment, as well in their architecture and equipment, as in their preparation and discipline for battle. There is yet nothing like them, though several vessels are building as copies of them; but they will yet want the soul, the "*main brace*"—enterprising men, something more than "fighting machines," as soldiers and sailors are sometimes called in monarchical countries. But we have even yet a more singular instance of the superior courage and skill of our seamen to mention: It is well known that the great port of Liverpool, at and from which many thousand ships and vessels arrive and depart every year, is oftentimes so completely blockaded by gales from the west, that even the best appointed packet boats have been unable to leave it for weeks at a time. If the wind is not fair, the departing vessel must have the tide in her favor; this falls so rapidly that the least error or mistake may cause the loss of the vessel—and, if in a gale, perhaps the lives of the crew. Now it happens that ships do depart from Liverpool against strong winds from the west, though hundreds still wait for a change. It was the Americans who lately taught the British to leave the *second* port in the three kingdoms, and several of our vessels now generally sail, if they are ready, let the wind blow as it may. The name of the first ship that came out in a western gale has been mentioned to me—she arrived safely at home, in the United States; and, as we had no arrival for nearly six weeks after her, there was a great stir among our politicians, it being known that many others were ready to sail. It was *agreed* that an embargo had been laid—but for why, nobody could tell. An embargo did exist, but it was laid on by the wind, not by the government.

This same spirit prevails also in our "landsmen," which we have frequently noticed. It would by no means astonish me to hear that captain *Symmes*, (if he were supplied with money for an outfit), should get as many recruits as he desired, to attempt a trip to his imagined world in the interior of the earth, entering at the "hole" which he supposes that there is at the north.

We were led to these running remarks by noticing the following in a late *Boston Daily Advertiser*:

"A friend has furnished us with the following remarkable narrative of the very active and useful life of Mr. William Smith, who was born November 14, 1768, at Flowery Hundred, Prince George county, Va. and came to Boston 1790, since which date he has sailed out of this port. He has since that period performed eight voyages round the world, besides one voyage to China and back.

1st voyage—He sailed in the ship *Magnet*, James Magee, master, Oct. 17, 1791, and returned August 17, 1794.

2d voyage—Sailed in the ship *Despatch*, Elias Newbury, master, Oct. 28, 1794, and returned in June 1796.

3d voyage—Sailed in Aug. 1796, in the same ship, Jonathan Bowers, master, and returned in May 1798.

4th voyage—Sailed June 23, 1798, in the ship *Virginia*, Edward Brown, master, direct for Canton, and returned in June, 1799.

5th voyage—Sailed Sept. 1799, in the ship *Harzard*, Ben. Swift, master, and returned May 6, 1802.

6th voyage—Sailed in Sept. 1802, in the same ship, with same master; returned May 6, 1805.

7th voyage—Sailed July 22, 1805, in the ship *Harzard*, as master, and returned June 23, 1808.

8th voyage—Sailed July 6, 1809, in the ship *Albatros*, Nathan Winship, master, and returned in the ship *O'Goin*, Robert McNeill, master, October 15th, 1817. For about seven years of this voyage he commanded the *Albatros*, which vessel was employed about four years of the time in transporting sandal wood from the Sandwich islands to Canton, for capt. Wm. H. Davis and Jona. Winship, of this place, who held a contract with the king *Tamaahmah*, for the exclusive privilege of exporting sandal wood from his islands to China for ten years, but in consequence of the war, and the arrival of the English sloops of war *Raccoon* and *Cherub*, the contract was broken, through the interference of the commanders of those vessels; the remainder of the time capt. Smith was cruising in the Pacific ocean in quest of Seal islands, and trading on the coast of California. On this coast, having gone ashore in the boat, he was taken prisoner by the Spaniards with his boat's crew, and after a detention of two months was released, and proceeded to the Sandwich islands, where he joined the ship *O'Goin*, in which he came home.

9th voyage—Sailed Dec. 5, 1817, in the ship *Borneo*, George Clark, master, which was cast away Jan. 28, 1819, near *Kygahna*, on the northwest coast of America, situated in about lat. 54, 48, N. long. 132, W. and lost all his journals from his first voyage in 1791, and every thing but the clothes which he had on.

He proceeded thence to the Sandwich islands in the ship *Volunteer*, of this port, Jas. Bennett, master, there joined the brig *Brutus*, of this port, David Nye, master, proceeded to New Archangel, a Russian settlement, where he arrived in June of the same year, and joined the ship *Eagle* of this port, Thomas Meek, master—went thence to Canton, from which place he returned to Boston, and arrived on the 25th of July last.

He first went on board the U. S. row galley *Manly*, capt. W. Saunders, in February, 1779, which vessel cruised up and down the Chesapeake. He was afterwards transferred, with the same commander and crew, on board the United States brig *Jefferson* and ship *Tartar*; continued in the service, till Feb. 1780, when he left it and went to the West Indies. From that time to 1790, he performed twenty three voyages to the West Indies from Philadelphia, Baltimore and Virginia, when he came to Boston, and has sailed out of this port ever since above stated.

During the whole period since the year 1779, he has been dismasted twice only, shipwrecked once—the last voyage;—once taken prisoner by the Spaniards on the coast of California, and once by the Indians on the northwest coast.

He enjoys fine health, has a very strong memory, relates the incidents of his life with great minuteness and accuracy. Probably no other person ever performed so many voyages round the world. He knew of one person, a black man, who died at the Marquesas islands on his eighth voyage, but no other who had performed so many."

Literary Curiosity.

FROM THE NATIONAL GAZETTE.

I offer you what may be deemed a literary curi-

osity. It is a supposed Indian oration on the death of com. Decatur, written by a female now confined for insanity in the cells of the Philadelphia almshouse. This unhappy person being asked by the keeper whether she would take pleasure in reading, answered in the affirmative; and added that she would also gladly compose on any subject which might be suggested. She has written several pieces of a remarkable character, besides the following, which will, I think, be admired as an ingenious allegory, conveying an excellent moral.

INDIAN ORATION,

On the death of commodore Decatur,
Composed by Mrs. S****, in the cells of the almshouse.

The warrior of the water is gone to the land of spirits, and the ghosts of his fathers rejoice not in his coming—for he came not in the storm of battle.

The warrior of the waters was a great lion: when he rose in his rage, and shook himself, the green hills trembled: when in anger, he thundered with his voice, the storm did follow. He bounded over the waters, and the beasts of the other mountains hid with fear: He stretched his paw over the great waters, and gored the lion of the east. He was mighty and great as the Alleghany: he was strong and fierce as the torrents down the steep of Niagara. Mighty and great he was: yet a little bee did overcome him. Public opinion was a small bee, and the lion might have crushed it with his foot—but the little bee crept into the ear of the great lion and stung him on the strings of life. The lion was vanquished, and the little bee yet lives and buzzes of his conquest.

The warrior of the waters has gone to the land of spirits, and the ghosts of his fathers rejoice not in his coming—for he came not in the shroud of glory.

The Auction Bill.

SPEECH OF MR. BALDWIN, (OF PENN.)

IN THE HOUSE OF REPRESENTATIVES OF THE U. S. OF THE BILL FOR LAYING A TAX ON SALES AT AUCTION.

That the house may feel the necessity of this bill and the propriety of its details, it will be proper to examine the nature and tendency of auction sales: when they are understood it will be a matter of surprise that they should have continued so long, and account for the almost numberless petitions which pray for its adoption, for the alarming situation of the sea ports, the state of commerce, manufactures, agriculture and revenue. It was deemed of great importance, in connection with the other bills reported by the committee, as without this they would be ineffectual—it has now become indispensable since the rejection of the last bill, by which the house has decided not to touch the customhouse credits. This system of auctions is one which has been created by state laws, and presents in many of them a thing very unusual in this country, a monopoly which in no case ought to be favored, but discouraged when it is injurious to the community. In most of our large cities, the number of auctioneers is limited—they are commissioned by state authority, and no other persons are authorized to sell in this way. In New-York the number is 30, in Philadelphia 7; sales by public outcry must be made by them. If this mode of sale is for the convenience or benefit of commerce, it is strange that a regulation, which thus confines it to a set of privileged men, should have been so long submitted to by that class who are so desirous of leaving

things to regulate themselves. They have, however, continued without complaint, and serious inconveniences were not felt till the peace in Europe opened new prospects for their commerce; the exclusion from the markets of the continent, compelled the British merchants and manufacturers to make the most of ours. With an accumulated stock, increasing beyond the regular demand—the experience of the past and present affording no new hopes for the future—the continental system of their allies becoming more rigid as the good effects of it were becoming apparent to those nations who adopted it, they have been eagle-eyed to discern all the advantages which they could derive from our trade, our system of revenue and modes of sale, to make them the means of continuing their own establishments and business. That the means employed should be ruinous to ours—that, what saves the one should destroy the other, is not a matter for their consideration; they deserve credit for their exertion to protect their own, and the industry of their country, at the expense of ours: the blame must rest on us for permitting and not checking the evil where its extent is so general, its effects so injurious. If the foreigner was obliged to be at the same expense, to employ the same machinery in his operations as the American merchant and manufacturer, he would be obliged to come into our market on equal terms; to the country at large it would make but little difference as to interest; there would be the same employment given to labor, the same market for produce, value to materials, houses and stores; the same amount of taxes paid for the support of local and general governments; these, added to the expenses of their establishments at home, would be a serious obstacle to their pursuits, their operations here; remove them, the foreigner has all the advantage of our market without rendering the slightest benefit to the country—this is effectually done by auction sales and custom-house credits. I allude to the latter, not to renew a discussion on a subject already decided, but to illustrate their tendency: goods are consigned to an agent or an auctioneer, are bonded, landed, sold at auction, the auctioneer a director of a bank, the notes well endorsed are discounted, commissions deducted, the proceeds remitted, with the addition of duties, say 25 per cent. for which there is a credit of 8, 10 and 12 months, without interest; to say the least of it, the use of the amount of the duties is more than equal to the charges of auctioneers and the expenses of shipment; it must be a bad sale which will not nett the price at the manufactory in England.

The foreigner has his establishments at home—they must be kept up at all hazards, their burthens are more in proportion to their magnitude than the amount of sales, as the latter can be increased without adding to the expenses. The facilities afforded by our systems enable them to reap all the benefits of an establishment here, without its costs and risks, sure of sales at home, at a price as good at all events as our merchants can make, and with the same opportunity of profiting by the rise in the market—ours is almost the only one left to him; the trade is not sufficient to give employment to both ours and foreign merchants and capital; some must be excluded, and unfortunately ours have become the sufferers by the great temptations and inducements held out to those who do not reside here, and are enabled to carry on a profitable trade abroad, without adding to their expenses at home. The foreigner's goods never remain on hand; he contracts no bad debts, is exposed to no casu-

alties, losses, or expenses, and is at no trouble to find out the state of our market as to the quality, quantity, and kind of goods required for our consumption. The American merchant, from his knowledge and experience, is enabled to ascertain all these matters before he sends out his orders; when his bill is filled, there is a surplus—his information is the guide—his order points to the necessary information. The foreigner ships on his own account; our market is filled with a supply double that of the demand; in the competition for sale, the foreigner must prevail; he can afford to sell at his price at the manufactory, and charges. Our merchant, who pays the price there, must have an advance on his investment, and is subjected to the same charges, except the auctions, there he cannot compete, his goods must remain on hand, he continue idle, or send his goods to be sold at a certain loss. It is impossible to calculate with precision the ordinary expenses of a commercial establishment. From the information of the most experienced and respectable merchants, furnished after much reflection and enquiry, I am confident that house and store rent, stationary, fuel, insurance, clerk hire, family expenses, taxes, bad debts, expenses of collection, fall in the price of goods remaining on hand, will exceed ten per cent. on the amount of capital employed. I think it a low estimate—this is all saved to the foreigner. When he can thus add to his capital by custom-house loans, carry on trade without the ordinary expenses, it is not surprising that he should avail himself of these advantages, while an European peace continues. The proportion of auction sales to private, of foreign to domestic, will increase—it has already become alarming to all the commercial cities. The petitions from Philadelphia tell you that four-fifths of auction sales are on foreign account: I appeal to gentlemen who represent others, if there is not the same proportion. This accounts at once for the rapid transition of the trade and commerce of the country from ours to foreign merchants. Trace it in its consequences through society, you will find none exempt from suffering; realize the time which is fast approaching, when your importations are on foreign account, eight or ten auctioneers doing the business of your sea ports; leave the interest of manufactures out of view as unworthy of notice, but look to other classes, other occupations in and around your great cities; contemplate the scene of desolation that opens to your view, then console yourselves, if you can, with the reflection: "it is better somewhere else;" others flourish, though we are destroyed.

It is worth while to look to other effects of auction sales, which have now swelled into an extent and grown into a system which not only impoverishes but cheats and defrauds the people, to an extent not easily calculated. Information, from a gentleman of great respectability and intelligence, who has been employed three years in a great auction house, and who speaks from his actual observation, enables me to say that the difference between order goods, (sent for by our merchants), and auction goods, (consigned by foreigners), is at least 20 per cent. Artfully made and carefully packed, none but good judges can discriminate; the mass of purchasers, in the hurry and confusion of an auction sale, are unable to compare and judge. They are allured by a low price; as they buy to sell again, profit, and not quality, is the great object; the country is filled with worthless articles, and however great the fraud, I find, from this advertisement, that "damages must be applied for in six days from the sale;" "sizes and width of the goods

are copied from the invoices but are not warranted," is another condition of these sales; here is another reason opened why auction goods are cheap: they are made for this kind of sale—*manufactured to meet these conditions*. I am told that, in private sales of broad cloth, five per cent. is allowed for short measure; that is, if a piece measures twenty yards, you pay for nineteen. This tells me, if the piece contains nineteen yards, you pay for twenty at auction, making a difference of ten per cent. I am not enough initiated to know how much is gained in the width, an inch or two would be noticed but a little, but would count in the cost a good deal. I have heard, too, of such things as *puffs employed, and sham sales to the knowing ones to regulate the price to the simple ones*, and other *et ceteras* too tedious to enumerate. Among many other means of injuring our manufactures, is the practice of making goods of a bad quality in exact imitation of domestic, so that they may have a bad reputation in the market, and suffer in comparison with the foreign; the difference is not discerned by common observation, and is known only when the articles come into use.

It is difficult to ascertain the amount of auction sales; in New-York the duties paid to the state the last year, were 141,000 dollars. But the mode of conducting them does not make it necessary to return all sales; such, for instance, as are made by the partners of the auctioneers, which are regulated by the sale at auction of a number of packages sufficient to fix the price of a large quantity. I find it is common to advertise A. B. auctioneer, C. D. commission merchant. Sales by the latter are not returned in the amount of duties. It is probably not overrating them in that place at 15,000,000 a year; the greater part by not more than ten auctioneers. In the first three months of the present year, about 10,000 packages of dry goods were sold at auction; in the first fifteen days of this month, about 2,000. Connect this with the fact that three fourths of the importations are on foreign account, and an idea may be formed of the extent and general mischief of these sales. I need not dilate on the consequences of business being thus almost monopolised by a few—the country glutted with worthless goods—every class of society, except the auctioneer, suffering severely and calling on you for redress. If these complicated evils were temporary, if the evils themselves were diminishing, there would be less reason for your interference. But the reverse, in all respects, is true. Do not rely on my statements, or on the documents to which you have been referred; ask those who are daily witnesses of the progress of this wide spreading ruin—look to the petitions which come to you from tens of thousands of your citizens; not manufacturers merely, but merchants, mechanics, owners of houses and ships, all join in deprecating a common calamity. Injurious as auctions are to the great interest of the country, it is not intended to abolish or prohibit them; the bill proposes a duty of ten per cent. on manufactured articles, and will not put the American and foreign merchants on terms of fair and equal competition. The foreigner can afford to pay this to avoid the numerous expenses which would attend his residence among us, in managing private sales; this I feel justified in saying from the almost unanimous opinion of those best conversant with the subject. With cash payment of the duties, it would no doubt, for the present, have considerably checked and perhaps ultimately have stopped them. But, with the present credits, the effect will be but little felt as tending

to a prohibition. It is to be hoped it will lessen them, and give a fair proportion of the sales to our own citizens; it will be, at all events, a tax to that amount—an offset to the numerous and great facilities now afforded to foreign importations and sales. The importer, manufacturer, and the treasury will participate in the benefits. An additional duty of five per cent. is proposed when the sale is in quantities less than they were imported. This is necessary for the protection of the small dealers and retailers. Auctioneers now sell by the yard as well as the piece, and aim at a perfect monopoly as well as the capitalist or the small trader; it cannot be necessary to dwell on the propriety of imposing a heavy tax, if not an effectual prohibition, on this part of the system. Though the petitions all concur in asking a duty of ten per cent. on all auction sales, without regard to the kind of goods, we have not extended it to such as are imported by our own merchants, and do not interfere with the fair competition between ours and foreign manufactures. On all articles not manufactured, it is proposed to impose two, and on American manufactures one per cent.; these are for revenue. The former auction duty produced about 800,000 dollars a year; that, too, during the war, when there were but few imported goods in the country; this will probably produce a much larger amount, and I hope will remove objections which have been made to the other bills, by those who are alarmed at the state of the treasury, and object to the measures proposed by the committee as tending to impair it. We have in all of them connected this with our other objects, consistently with the plan first avowed—to protect the industry of the nation against foreign competition, then tax it its fair proportion of the public burthens. I hope it may not be deemed injurious to commerce, as it is called for by the almost unanimous voice of the merchants as necessary for their assistance; or to agriculture, as without it the sea-ports will be depopulated and its only remaining market taken away; and to manufactures I need not say the measure is without its importance: as it can injure no interest, is called for by all, perhaps it may escape the fate of the last one, and at least one thing be done by general concurrence. If a measure like this cannot be adopted, I shall indeed despair of any relief for the distresses of the people; it seems to me that no one ought to, or can be willing to permit this thing to regulate itself; if an evil of this magnitude cannot be checked, government is almost an useless burthen; if the interests which are prostrated by auction sales are not worthy of protection, I know of none that are.

I am aware of one ground of opposition to this bill which arises from the revenue derived by the states of New-York and Pennsylvania, and perhaps some others, from these sales. It is a matter of regret that the general good should call for a measure injurious to any part of the union; but it would be a source of still deeper, that local interest should prevent its adoption. As a mere revenue bill, or as one tending to the benefit of only one class or body of men, I would deem it a duty to the state which I in part represent, to oppose the diminution of its revenues at a time when its treasury requires every aid. But I would be an unworthy representative of that great and disinterested state, if, however dear its interests may be to me, I would not yield to considerations of general concern. As a part of a general system for the protection of national industry, this measure has become indispensable; it is not the character of the state, it is not the wish of its representatives, to prefer local to

general objects; the sacrifice will, however, be but nominal—the merchants, protected and enabled by this bill to prosecute their business, will cheerfully pay, by a tax on licenses to sell foreign goods, the same revenue now derived from auctions if their amount should be diminished. But I am abundantly satisfied that it will be much less than is feared. The long credits of the custom-house will be found to amply compensate for the duty and auction sales. *The former are the cause, the latter the effect.* As we have been unable to diminish them, the only resource is now in this measure, which it is doubly incumbent on you to adopt and to guard against all evasion. When a system has grown to the extent of this, when it has so far attained to a monopoly, that, as I am informed from most respectable authority, the profits of one auction firm have exceeded 100,000 dollars a year, it is to be expected that great efforts will be made to counteract and evade the provisions of a law calculated to impair the extent of their operations. On this subject great pains have been taken by the committee in the details of the bill, and we believe they will be efficient.

I find gentlemen from all parts of the union agree as to the state and condition of our commerce; if I have been mistaken in assigning the causes, they are called on to correct me, and assign the true ones. If this bill will not check its embarrassments, to say what will. They will remember that auctions are a regulation of commerce, on the part of the states, by making public sales a monopoly in the hands of a few; if it is a convenient mode of selling, it ought to be free and open to all; if otherwise, let it be a source of revenue, a mean of equalizing sales on foreign and American account—shaped and controlled so as to promote, and not be permitted to destroy, the general good. Though these sales are not the ultimate, they are the operating cause of most of the distress which is now so general. Connected with, and as a consequence of, long credits, they are the instruments which fill the country with foreign goods of a bad quality and low price, destroying competition, either by the manufacturer or merchant—enabling a few to do the business of thousands—drawing from us all our resources, giving employment and activity to none. To balance these evils, there is but one advantage, which might formerly exist, but has long since ceased: the diminution of the price to the consumer. It is well known and generally admitted, that the difference in price is not equal to the difference in quality and measure; the apparent loss to the importer is a real gain; the apparent gain to the purchaser a real loss. These reasons would justify a total prohibition, and the time may not be distant when this will become necessary. Auction sales must be checked; if this bill should pass, we can find, from its effects, whether the duties ought to be lessened or increased; the general effects on all classes of the community, are such as I think ought to unite us all in going, at least, to the extent proposed; it will enable us to ascertain the sources of the general depression; if this is not the proper remedy, experience will point it out—till some other causes are assigned, some other cures proposed, I must feel it my duty to press the adoption of this.

It is very unpleasant to be obliged to differ from those who are friendly to this bill, as to its effects; as it is one which was called for principally by the petitions of merchants, great pains have been taken to acquire from them such information as would enable the committee to unite theirs with the manufacturing interest. It was not intended to prohibit auction sales, and that it will not—I must be

allowed to speak with confidence, arising, not from conjecture, but facts and assurances, the result of accurate calculations, furnished from sources entitled to the most perfect credit. I defend it as a measure necessary to place the American merchant on fair competition in our market; as necessary to prevent the introduction and consumption of inferior goods, deficient in measure as well as quality; to diminish the temptation to purchase that which is nominally cheap, but really dear; to prevent the country from being so completely overstocked as to repress all efforts to bring our own fabrics into competition with foreign—not as an exclusion of the foreigner or foreign goods, from a fair chance on equal terms. Competition is the security of the people from imposition, but it cannot exist where there is a monopoly. One gentleman speaks of a monopoly of selling cheap, as one to be favored: if such a monopolist will give any assurance that he will continue to sell thus cheap, when he has the complete command of the market, there may be some reason to permit him to enjoy it. But let the foreign merchant and manufacturer once put down the domestic, let them command the supply of the country, and competition will cease; one year's profits will make up for all former losses. If the foreigner's extortions should again raise our establishments, so as to create some competition, he will for a time reduce his prices till our manufacturers, tired of the endless fluctuation, will forever abandon them in despair. There must be a system, steady and uniform in its operations; some general measures by which the faith of the nation will be pledged to support its true interests, not growing out of a policy which merely resorts to temporary expedients for raising revenue, and changes with all its ebbs and flows. Manufactories are the work of time; their perfection is progressive and gradual; those concerned cannot invest, withdraw, and re-invest their capital to suit every surplus or deficit in your treasury. Every consideration should induce you to give them no encouragement, afford them no protection, or to give it to the extent of the national objects which require it—the state of your commerce points this out as the only means of its safety: your shipping and importing merchants want some assurance from you, that they will not be abandoned and their interest sacrificed, by your refusal to shape your systems according to the events which control their operation. Examine the petitions which call for this law; look to the consequences which merchants tell you will inevitably flow from auction sales, if they continue uncontrolled or undisturbed: they call on you to regulate them as the only means by which they can be restored to employment. You have refused to go to the sources of the cause which produces the effects which they deprecate; you must now aim at the effects themselves. In doing it in the manner proposed by this bill, you aid all the great interests of the nation in the only mode which is practicable and efficient. It will secure to agriculture a market, to your merchants your trade, and remove one great impediment to the success of our manufactures—call it encouragement if you please, it is necessary: they have struggled long, and hard; their importance has not been duly estimated. Now in their decline they require permanent, not temporary, but efficient support, though not injurious to the country. Gentlemen, who complain so much of the measures we have recommended, have not taken the trouble to examine our present systems, the great encouragement to foreign importations which they hold out, and the powerful obstacles they pre-

sent to our industry. The measures we have proposed are no more than are necessary to enable our manufacturers to come into fair and equal competition; but if they gain the entire command of the home market, we have abundant evidence of the salutary effects of such a measure. I must again refer the house to the fact, that the high duties on coarse cottons have nearly, if not wholly, excluded the foreign article; the domestic competition has improved the quality, and diminished the price:—they are now made at a price less by nearly one-half than they ever were imported. I state the fact with perfect confidence; no one will or can contradict it; it is confessedly true. With evidence of this conclusive kind to answer them, I hope gentlemen will not insist that the encouragement of our manufacturers is a bounty to the few at the expense of the many; that domestic monopoly will tend to increase the price to the consumer. Facts like these, and practical observations of their effects, are the best means of testing measures of national policy—that command of the market encourages the competition and reduces the price, we have now ascertained by a fair experiment for four years; can there be a better reason offered for so modifying our system as to embrace other articles which are necessary for our comfort and wants? In adopting a principle which has produced the same results wherever it has been brought into operation, we can certainly be exposed to no risks; but if we abandon it—leave foreign bounties, custom house credits and auction sales, to operate without restriction or counter action, are you not trusting to theories which no other nation has followed but ours, which we are now called on, by the strongest expressions of public opinion, the most alarming evidences of general distress, to explode? When you complain of the extravagant protection asked for our industry, look to your own laws for the almost boundless encouragement offered to foreign. If your custom-house bounties must continue, if your accumulated regulations to favor imports are too sacred to be touched, at least tax, and tax highly, those monopolists, those monopolising sales, made such by state authority, which take from our own citizens, not only all chance of competing in the manufacturing, but the distribution of the articles of consumption. In pretending to guard alike the great interests of the country, preserve at least the semblance of impartiality. If one of yours, or any state system, gives a bounty or a premium to foreign industry over ours, check and countervail it, if no farther, at all events so as to equalize, to afford some competition. In your zeal to guard against a domestic, do not create a foreign monopoly—in putting it out of the power of manufacturers to continue their establishments, for fear of excessive profits, are you sure that the merchants will not avail themselves of the power you thus give them—I am not aware of any greater security from imposition by them.

We are told of ten per cent. as the regular mercantile profit on foreign importations. I had thought the rule was what an article would bear, depending on the quantity and demand; that those were the standard by which to estimate and class the profits; the gentleman surely could not have referred to the last war, and he will find himself as far mistaken, in calculating profits at ten per cent. if there is once a command of the market by those who are neither bound to the government or people of this country by any tie or obligation. Let me again ask the gentlemen if they prefer a foreign to a domestic monopoly; the supply of our market to be in the hands of those who are identified with the prosperi-

ty of the nation, or those who can prosper only by our adversities. This bill is necessary to guard against such a monopoly, by enabling our merchants to compete with foreign; this is its great object; it is not a manufacturing bill, though important as part of a system for the for the protection of that interest; its operation may not be very decisive.—The great cause of the declension of domestic industry is the extent of foreign importations, the supplying the demands of the country from foreign sources—not the mode of selling or the persons who sell, whether at auction or private sale; if our supply must be from abroad, you will see how little will be the gains to manufactures, by changing the distribution from one set of merchants to another—but, as a part of a great system necessary to guard all the industry of the nation, to put heavy clogs on sales which are destroying all, I hope you will see the necessity of its adoption. Gentlemen may talk as they please about the necessary hostility between agriculture, commerce and manufactures; but in their zeal against the latter they are sure to injure the former—look round the country, you find them all alike depressed by the same causes; trace their progress in other nations; they go hand in hand, mutually giving and receiving support—the universal sentiment of the people, expressed in their toasts on all national festivals, “agriculture, commerce and manufactures,” has arisen from experience and observation of their intimate connection in a firm and permanent state of things. The time has been when, during the twenty five years of the tornado in Europe, the wants by other nations of our produce, as well as carriers for their own, held out such inducements to agriculture and commerce as made us overlook manufactures, and think their prosperity inconsistent with a flourishing commerce. The unexampled continuance of this state of things has led us to believe it the natural course of events, which is only checked by a peace; to resort to expedients of all kinds to keep off a system which our distresses will make inevitable; to trust to vain and illusory hopes of a recurrence of events beyond all human probability; disregarding experience, the conviction of reason, and the embarrassments which now reach every man in the community.—No gentleman can point out an injury which this bill will do to any interest in the country; I understand the source of the opposition, it tends to benefit manufactures; the friends of commerce ought to pause before they carry the opposition too far. The effects of auction sales have become alarming; they threaten to depopulate two of your proudest commercial cities; all classes join in their petitions; though these evils may not be so severely felt in other places, I beg gentlemen, who represent them, to remember, that the evil has become firmly fixed, is rapidly spreading, and will soon reach them. They must not indulge in fancied security for themselves, or feel indifference for the distresses of their neighbors, not of one class or interest, but all. This bill is necessary to save our commerce and merchants; it is astonishing to me that it can be opposed by those who profess to be their friends. Cannot they judge for themselves; do not their petitions speak to you in a language which you will believe? The tariff was opposed, and the custom house bill defeated, because they were thought unfavorable to commerce. I now call on the gentlemen to show their sincerity in advocating this bill, which is imperiously called for, more for the protection of that interest than any other, by at least nine-tenths of the merchants of New York, Philadelphia and Baltimore;—from the interior and west

the call has not been so imperious—the evil has not and can never be so deeply felt. If our manufactures are to be prostrated; if the credits on lands are to be taken away; and yours continued on imported goods; if we are to be the mere consumers of the produce of other countries; the commercial interests must reflect well on the mighty importance to us of checking auction sales; of the danger of arraying itself against a strong and growing interest; we are in our infancy; but it will soon be manhood. You can easily trace the march of wealth and power—it is to the west. It was one of the earliest lessons I was taught, to conciliate and be on good terms with boys—they will soon be men: let me recommend this lesson to the commercial opponents of this bill and point their attention to the next census. This, of all others, is a time for union, for common action; each must give up something to save all from the ruinous effects of your present systems. *Live and let live*, is a good rule for individuals and should be adopted by legislators. Here is a measure of a national character; it will benefit all interests for which any of us are concerned, though not in the same degree; we must not calculate the proportions, but only whether it is not necessary and indispensable—it is not the less interesting to me because it is peculiarly beneficial for merchants; goaded, abused, as I have been, it shall not provoke me to hostility; the allusions I have made must not be called the language of threats, but taken as the caution and advice of a friend.—Commerce, no more than manufactures, can support itself against foreign competition and your indifference; it requires legislative aid, which must be freely and liberally afforded, not for its exclusive benefit and the injury of other interests equally interesting; it requires none such, for there is in this country one community of interests: national measures will promote and save all alike. The commerce of the nation cannot be benefitted by measures that will destroy the agriculture and manufactures; they are its only materials: they rest too on commerce as the only means of distributing their products: sensible of this, the committee feel a consciousness that they have been true to these principles—that their measures have not been partial in their design, or, if adopted, will prove so in their operation. They, at all events, must be exempted from this charge. Though convenient and useful for the protection of manufactures, the general principles and details will be found to be cautiously devised for the protection and benefit of the American merchant, and I believe have met with their general and unqualified approbation.—Though emanating from a committee of manufactures, it has excited no jealous fears except in this house—there is no alarm in the sea ports; it is strange to me there is any here; still stranger, when I see the quarter from which it comes. While there is a disposition to make a common cause, to do as much for one as the other interests of the country, let me entreat gentlemen to cultivate and avail themselves of this generous feeling; to abandon the delusive hopes which, contrary to their own convictions, they still indulge. Commerce is not and will not be what it was—it has departed from us, and can only be reclaimed by legislation—cannot regulate itself; has been destroyed for the want of regulations which this bill calls for. It must not be opposed because it contains protection to others—commerce ought not to be the exclusive, though a principal, object of our care: we must look for the causes which have given it a proud pre-eminence—they have ceased and cannot recur. It has

been in a long fever, an unnatural state of excitement, buoyed up by foreign aid; now it is met by foreign competition, the natural, obvious effects of a general peace, which will be more and more felt by its continuance: to resume the sphere of its former action has become impossible; to open new ones, to retain what is left, other means must be resorted to, than to rely on the expectation of events which can never happen. The supremacy of commerce has passed—it is our imperative duty to aid and protect it, but not to make it the sole object of our concern; if its friends urge and persist in these pretensions, they must look to the consequences. Hitherto the country has united in its support, let it not be spoiled by indulgence; its operations examined too minutely, and its extravagant pretensions to exclusive protection unite against it the two other great classes of society—I am anxious to avoid, to avert these dangers; to take advantage of this time to adopt salutary national measures, necessary for the general welfare—you cannot, without ruin to all, separate the great sources of national wealth and power—you must recur to principles applicable to your present situation, and make allowances for the changes in our relations with other nations—these will account for the state of our agriculture, commerce and manufactures, and ought to convince you of the duty of immediate action. For myself I much regret that any excitement should have been caused by the measures offered for your adoption; that there should be thought to be any hostility between the great interests which I think alike deserving of support; if there is any it is beyond my perception—not only unseen but unfelt by me. If these measures are defeated, or kept off till public distress forces their enactment; if there should be then a disposition, in what must some day be the preponderating interest of the country, to act alone for itself, I beg the house to remember that such a disposition is not to be found in these bills; that it has not been avowed or evinced by me; that I here publicly deprecate such a spirit, and in a warning voice entreat others not to indulge it.

Legislature of Massachusetts.

Extract from the speech of Gov. Brooks in both branches of the legislature, June 6, 1820.

But the welfare of the state, I am aware, is not wholly under your controul. Its prosperity may be promoted or impaired by causes extraneous to its local authorities and institutions. The right of regulating commerce is exclusively vested in the government of the United States, and the people of this states are deeply interested in the administration of that great branch of political economy and national revenue. The interests of Massachusetts are essentially agricultural and commercial. Domestic manufactures, upon which immense labor is bestowed, have grown up, and interwoven, with agriculture. The mechanic arts, which now give lucrative employment to a vast proportion of the population of this state, have sprung spontaneously from the wants, and have thriven and multiplied in proportion to the increased numbers and wealth of the people. Agriculture, navigation, and commerce, maintain an intimate relation with the mechanic arts; they mutually sustain and are supported by each other. Hitherto, conformable to the genius and maxims of free republican governments, all the departments of industry have been equally protected by the laws. The destination of labor and capital has been controlled by the option of in-

dividuals; and in this freedom of choice our liberty greatly consists. We are characterized by no Asiatic casts, nor degraded into villanage by the tyranny of feudal laws, but the citizens of our republic, having equal constitutional rights, are entitled to equal protection in the pursuit of happiness.

From the earliest period of the history of the people of this state, industry appears to have been a prominent trait of character, accompanied by a talent of judiciously applying its powers to the purposes of subsistence and accumulation. The primitive fathers of Massachusetts brought with them, in their pilgrimage, a moderate capital, and a good knowledge of the arts of life. If the greater part of their number were engaged in bringing forward their agricultural settlements, others were no less assiduously employed in conciliating the good will of the savages with a view to the fur trade, or exploring the coast for the ulterior purposes of establishing fisheries and commerce.—Whilst the utmost scope was thus given to enterprise, they prosecuted their most weighty concerns with consummate wisdom and eminent success.—And it is but paying a just tribute of respect to the memory of our reverend progenitors to acknowledge, that to their good sense in giving directions to industry and capital, to their pious and patriotic institutions, and to their correct and economical habits, we are indebted for many of our most substantial enjoyments. This ancient metropolis, so long greeted as the cradle of American liberty; our university, that rich nursery of literature and science, whose origin is inscribed on the first pages of Massachusetts' history; many of the towns and villages which adorn our sea coast, are among the beloved monuments of the enterprise, and the wisdom, and the patriotism of our venerated ancestors.

The gifts of nature are distributed with an unsparing hand, by one common parent, but in various forms and in different proportions, over every section of the earth. Products, which are denied to some, are bestowed on others in great profusion. Those objects which excite the keenest thirst of avarice every where, are imparted only to particular regions; although every known portion of the globe is possessed of some peculiar product of more intrinsic value than the precious metals. In this diversity are to be found the elements of commerce; which, being modified and preserved by human ingenuity, become the object of desire and exchange, and common sources of enjoyment to the whole human family. And I may add, that while the commercial intercourse of nations serves to multiply the means of subsistence, and the objects of taste and convenience, it tends to humanize the original savageness of our nature, and to make man the friend and auxiliary of man.

But reciprocity is the vital principle of commerce. The idea is not for a moment to be sustained, that a nation should be able to avail itself of the products of others, without being able in some form to pay an equivalent. Nor is the doctrine to be admitted, that a nation may be rich, and great, and prosperous, and happy, by immuring itself within its own boundaries, and consuming on its own necessities the fruits of its labor. The whole history of human affairs is opposed to such an hypothesis. Gain is the only unfailing incitement to industry. Labor, graduated by the same hope of competent subsistence, must, besides exposing the laborer to evils arising from accidents and unpropitious seasons, become languid and spiritless, and, being conducted with apathy, will probably terminate in suffering and ruin. The wealth of a nation is but the aggre-

gate of the wealth of individuals, which is great, or otherwise, in the ratio of its exchangeable value. It requires no formal induction of reasoning to show, that as every state and nation is endowed with distinctive advantages, its prosperity must depend on the use made of those advantages, and in their being developed by a judicious application of industry. In proportion as industry is thus applied, will be its power of accumulation, and the amount of surplus above consumption goes to form the mercantile capital of the state. It is not intended to be insinuated, that the exchangeable products of a state arise exclusively from agricultural excess, nor that the commerce of nations consists in a specific exchange of their respective commodities. It is far otherwise. Capital may be generated by every possible modification of labor, and extensive internal commerce is known to exist with little or no direct barter of local products.

Hence the unspeakable importance of commerce to the people of Massachusetts. Denied a genial climate and a prolific soil, many thousands of them are compelled to seek their sustenance from the ocean, and to become carriers of the wealth of others. Circumstances favorable for ship-building, for navigation, for the fisheries of every description, and for the formation of seamen, having presented themselves to their choice, have led to great intenseness of industry; which, by the involutions of commerce, has been converted into wealth. The official statements of the United States treasury department, sufficiently establish the importance of the navigation and commerce of Massachusetts, not only as branches of political economy, but as sources of public revenue. For a number of years past, we learn, by official documents, that one third part of the tonnage of the United States has been owned by the citizens of this state; and that the exports of foreign produce, the last year, exceeded by a large amount the exports of any other state in the union.

Whilst, then, the interests of navigation and commerce must be peculiarly dear to the citizens of this state, as means of subsistence, they have strong claims to the patronage of the national government as sources of income. The circumstances of the United States, at all times, require no inconsiderable revenue; and experience has shewn that revenue, derived from a judicious rate of imposts, of all others, is the most certain, and the most easily paid. Excessive restrictions on trade lessen the amount of imposts and induce a resort to direct taxes, which the people will be less able to pay, as the products of agriculture shall be reduced in value by the diminution of commerce.

A just government will be disposed to do equal justice to all its citizens, and to afford equal encouragement to every branch of useful labor. And the utmost impulse being thus given to industry, the general prosperity and happiness may be expected to ensue.

U. S. Naval Fraternal Association.

We recently noticed a meeting of delegates from several of the naval stations of the United States, at New-York, for the purpose of forming a charitable association for the relief of the families of deceased officers; and have since been favored with a copy of their proceedings. As it may be useful to many, we give the constitution at length; premising that after it was adopted, the following gentlemen were provisionally appointed to execute the duties of the board of directors:

Commodore *Isaac Hull*,* mastercommandant *John H. Elton*, major *John M. Gamble*, marine corps; lieutenant *David Connor*, doctor *Edward Cutbush*, reverend *Cheever Felch*, purser *Robert C. Ludlow*, surgeon's mate *Frederick P. Markham*, sailing master *Francis Mallaby*, midshipman *Franklin Buchanan*.

Constitution of the United States Naval Fraternal Association, for the relief of the families of deceased officers.

At a convention of delegates, appointed by the officers of the navy and marine corps, for the purpose of organizing an association for the relief and support of the families of deceased officers, holden on board the United States' ship *Washington*, in the harbor of New-York, the following constitution was made and adopted:

The officers of the United States' naval service being associated in the same duties and dangers, and bound to each other by long intimacies, like interests and personal friendships, cannot but regard the families of each other, as having claims for mutual and united protection. Considering the liability of the families of officers to lose their natural protectors, from whom they had derived their support, and desirous of guarding against the pecuniary distresses of the families of their brethren, the officers of the navy and marine corps do voluntarily unite in a fraternal association for the protection, support and relief of families who may be placed in such circumstances as to require aid.

To accomplish, in a systematical and permanent manner, so desirable an object, they do make and subscribe the following constitution as the basis of the association, and the form of government which shall direct its operations:

ARTICLE I.

Sec. 1. This society shall be known by the name and title of "*The United States Naval Fraternal Association, for the relief of the families of deceased officers.*"

Sec. 2. It shall be composed of such commissioned officers in the navy and marine corps, and such sailing masters and midshipmen as shall have attained the age of eighteen years, who shall voluntarily subscribe the constitution of the society and pay the fee of admittance.

Sec. 3. Any officer now in service entitled to become a member, who shall not avail himself of the privilege within six months after being in the country, or any officer entering the service hereafter who shall not become a member within one month after being entitled to membership, shall not be admitted unless by ballot of the board of directors.

Sec. 4. No officer shall become a member unless he pay the amount of the assessments and interest which would have accrued thereon from the time that he might have become a member.

Sec. 5. Any officer on paying one hundred and fifty dollars shall be considered a member for life, and shall be exempted from any further assessments.

Sec. 6. The board of directors shall have the power of making honorary members of such distinguished citizens of the United States as may express a desire of joining the association, who shall be entitled to vote in the concerns of the society.

Sec. 7. Each member shall receive a diploma, certifying his membership, signed by the president and secretary.

*Commodore *Chauncey* was first chosen, but declining to serve, commodore *Hull* was unanimously elected.

Sec. 8. Any member neglecting to pay the assessments for one year, (unless absent from the country), or neglecting to pay when called on after a delinquency of six months, shall forfeit his membership.

Sec. 9. Any member who shall leave the navy with honor, shall be considered a member so long as he pays his assessments, and he shall be entitled to all privileges, except being eligible as a director.

Sec. 10. Every officer who shall be dismissed the service of the United States, by the sentence of a court martial, shall not be entitled to a vote, nor shall he meet the society on any occasion; but as this association is based upon principles of pure benevolence, if a person so circumstanced shall continue to pay his quarterly fees, his family shall be equally entitled with the families of members to all the advantages of the association.

Sec. 11. Any member shall be at liberty to withdraw whenever he shall signify such a wish to the board of directors.

ARTICLE II.

Sec. 1. The management of all the concerns of the association shall be vested in a board of directors, consisting of one from each grade of officers in the navy entitled to membership, and one from the officers of marine corps, to be elected annually in the manner hereafter prescribed.

Sec. 2. Every officer who is a member of the association shall have a right to vote for directors by proxy, provided such proxy be given to an officer of his own grade.

Sec. 3. The meetings for the election of directors shall be held on the first Monday in July annually, by public notice from the senior member of the association on each station; and the officers of each class shall vote for a director of their own grade; and one officer of each grade, with the secretary of the meeting, shall count and declare the votes; which votes being certified by the president and secretary, shall be returned to the secretary of the board within ten days after the election.

Sec. 4. It shall be the duty of the secretary and treasurer of the board to count the number of votes for each class which shall have been returned within sixty days after the election; and the officer of each class who may have the highest number, shall be considered elected. The secretary shall record all votes returned, and, within ten days after counting them, shall notify each member of his election.

Sec. 5. Should any director die, or decline serving, the board of directors shall supply the vacancy by an officer of the same grade.

Sec. 6. If two or more candidates for the office of director should have an equal number of votes, the board of directors shall decide which of the candidates shall be entitled to the seat.

Sec. 7. The board of directors shall meet at the seat of government on the first Monday in January annually, and elect from their own body a president and vice president, and appoint a treasurer and secretary, who shall be members of the institution.

Sec. 8. The president shall have, besides his vote as a director, a casting vote in all questions on which the board may be equally divided.

Sec. 9. Six directors shall be necessary to constitute a quorum for the transaction of business, but a less number may adjourn to any other day.

Sec. 10. At the annual meeting of the board, the accounts of the treasurer shall be examined and settled; the records of the secretary inspected; the appropriations of funds for the exigencies of the succeeding year be made; claims on the society examined and determined; the treasurer directed

how to invest the funds, and the current business of the society transacted.

Sec. 11. The president may call a special meeting of the board on any extraordinary occasion, at such place as may be most convenient.

Sec. 12. The board of directors shall have power to make any by-laws, not inconsistent with the principles of this constitution.

Sec. 13. The treasurer and secretary shall discharge the duties of their offices until others are appointed.

ARTICLE III.

Sec. 1. Every officer on subscribing to the constitution, shall pay to the treasurer or his agent ten dollars.

Sec. 2. Every member shall pay to the treasurer or his agent a quarterly assessment of three dollars.

Sec. 3. The treasurer shall vest all unappropriated moneys in such national or state stocks, as the board of directors shall order.

Sec. 4. Certificates of stock shall be taken in the name of the board of directors, and shall not be transferable but by an order of the board, signed by the president, vice president and secretary.

Sec. 5. No part of the principal of funds invested shall ever be distributed.

Sec. 6. The funds shall accumulate for at least five years before any part be used, except for the necessary expenses of the institution.

Sec. 7. Seven per cent. at least on all moneys accruing annually to the society, shall be applied to the permanent fund, until such time as it shall amount to five hundred thousand dollars.

ARTICLE IV.

Sec. 1. The disposable funds of the society shall be appropriated by the board of directors to the relief and support of widows and orphans of members; or in case a deceased member should leave no widow or child, then to his widowed mother or maiden sister or sisters, should they require the aid of the association; and for no other purpose except to defray the necessary expenses of the institution.

Sec. 2. The support and relief granted from the funds of the society shall be without relation to the grade of the deceased members, but according to the number and circumstances of the families requiring aid.

Sec. 3. On the decease of a member it shall be the duty of the secretary of the board to write to the widow, child, widowed mother, or maiden sister, as the case may be, inquiring whether their situation requires relief from the society. Such information as he may receive, he shall lay before the board of directors at their next meeting.

Sec. 4. Relief shall be continued to male children of deceased members until they attain their eighteenth year, and to females so long as they remain unmarried, and no longer.

Sec. 5. Each director may be allowed fifteen cents per mile to cover all travelling expenses to and from the places assigned for the meeting of the board, and two dollars per diem, whilst actually engaged in the affairs of the institution.

Sec. 6. The secretary and treasury shall receive such reasonable compensation for their services as the board of directors shall deem proper.

Sec. 7. The treasurer is authorised to receive any donations which may be made to the society, which shall be added to the permanent funds of the institution.

Sec. 8. All orders for paying moneys shall be drawn, registered, and signed by the secretary, and

approved by the president or vice president of the board.

Sec. 9. Orders so drawn, registered, signed and approved, and such only, shall be good vouchers in the settlement of the accounts of the treasurer.

Sec. 10. All persons paying moneys to the treasurer shall take duplicate receipts therefor, and transmit one of them to the secretary.

Sec. 11. It shall be the duty of the secretary to charge the treasurer with all such receipts, and credit him with all orders drawn on him.

Sec. 12. The treasurer shall give bonds for the faithful performance of his duty, to the amount of the funds that may be at his disposal during the year for which he shall be appointed.

Sec. 13. The society shall have a common seal, which shall be kept by the secretary, and affixed to all papers of the institution.

Sec. 14. This constitution shall not be altered or amended, unless such alteration or amendment be proposed at an annual meeting of the board of directors, and approved by two thirds of them. The amendment or amendments proposed shall then be submitted to the members of the institution, and, if approved by four fifths of them, previously to the next annual meeting, it shall become a part of the constitution.

Sec. 15. The board of directors shall prescribe the manner in which the opinions of the members shall be ascertained respecting any proposed amendment of this constitution.

Sec. 16. The secretary of the board shall furnish every commander in the navy, and officers of the marine corps commanding, with a copy of this constitution, to which officers may subscribe.

Done this fifteenth day of July, in the year of our lord one thousand eight hundred and twenty, and of the independence of the United States of America the forty-fifth.

I. CHAUNCEY, President

SAMUEL EVANS.

A. J. DALLAS.

W. B. SHUBRICK.

I. M'KEEVER.

SAMUEL R. MARSHALL.

CHEEVER FELCH.

J. WATSON, secretary.

Lands in Virginia.

The following, politely furnished for publication in the REGISTER, may afford useful information to many persons in different parts of the United States:

Auditor's office, Richmond, June 28, 1820.

A brief, yet comprehensive, abstract of the laws concerning forfeitures, and sales of lands for taxes, within this commonwealth, shewing how the same may be redeemed, will furnish useful information to those interested, particularly non-residents, who may not have the means of recurring readily to the various statutes passed on the subject:

The law of February, 1814, directed that, in 1815, and in every year thereafter, in the month of Aug. the sheriffs of the counties, after advertising the same, should expose for sale all delinquent lands, or so much thereof as should be necessary to discharge the arrearages due thereon. The provisions of that law were only partially enforced, and no lands were either sold, or offered for sale, except in the following counties, viz:—Amelia, Amherst, Bath, Bedford, Botetourt, Brooke, Buckingham, Cabell, Campbell, Charlotte, Chesterfield, Cumberland, Fluvanna, Frederick, Goochland,

Grayson, Greenbrier, Grennsville, Hanover, Henrico, Henry, Isle of Wight, James City, King and Queen, King William, Lee, Louisa, Lunenburg, Madison, Mason, Matthews, Mecklenburg, Monroe, Northumberland, Nottoway, Ohio, Orange, Pendleton, Pittsylvania, Powhatan, Prince Edward, Prince William, Prince George, Randolph, Rockbridge, Russel, Scott, Shenandoah, Stafford, Surry, Sussex, Spottsylvania, Tazewell, Washington, Wood and Wythe. In such of the counties as are in *italics*, there were no sales until 1816.

Such lands as were actually sold in August, 1815, and not redeemed within one year thereafter, are vested absolutely in the purchaser, and are now irredeemable. Lands offered for sale, but not actually sold, were forfeited to the literary fund, but may be redeemed at any time before the 23d of February, 1822, by the original owner, or his representative, on paying the taxes due, together with ten per cent. per annum damages thereon.

The lands which were actually sold in 1816, were redeemed by the executive, in pursuance of the act of February 20, 1817; and the taxes and damages for which they were sold, refunded to the purchasers thereof. They are now indefinitely redeemable by the original owner, or those claiming under him, on paying the amount so disbursed by the executive, together with damages, at the rate of ten per centum per annum thereon. Until such redemption is effected, the money so paid by the executive, constitutes a *lien* upon the land. The lands that were offered for sale, but not actually sold, in August, 1816, became vested in the president and directors of the literary fund, and may be redeemed in the like manner with those which were forfeited to the said fund in 1815.

The aforesaid act of February 20, 1817, repealed so much of the law of 1814, as directed the annual sales of delinquent lands, and declared that the arrears of taxes and damages should be a *lien* upon the lands and lots upon which they were chargeable. Lands, therefore, which have neither been sold, nor offered for sale, upon which simple arrearages are due, may be redeemed at any time by paying the taxes, with ten per centum per annum damages thereon, and a fee of fifty cents for each order of redemption.

The lands which were forfeited to the literary fund in 1815 and 1816, and those which were actually sold and re-purchased by the executive, can be redeemed by payment into the treasury only, on an order obtained from this office. Arrears due upon other delinquent lands may be paid either to the sheriffs, or directly into the treasury.

The situation of the lands in Virginia may be comprehended in the following classification:—1st, Such as were sold in August, 1815, and not redeemed by the owner thereof within one year thereafter; the title to which may be considered as absolutely vested in the purchaser. 2d, Such as was offered for sale, but not sold from various causes. These became vested in the literary fund, and may be restored to the original owner, in the mode herein before stated. 3d, Such as were actually sold in 1816, and redeemed by the executive—These are redeemable at any time. 4th, Such as have neither been sold nor offered for sale, but returned delinquent to this office—These also may be redeemed as abovementioned.

Proprietors residing without the limits of Virginia, or in a part of the state remote from the situation of their lands, would find it to their advantage to employ agents in the city of Richmond to superintend their interests, or else to correspond from

time to time with this office. In their communications should be particularly stated, the quantity and situation of their tracts, together with the names of former owners, from whom such tracts may have been transferred. A prompt and regular redemption of delinquent lands, at this office, would not only avoid the accumulation of damages, but be attended with much less hazard than to make remittances to the counties where the lands are situated.

JAMES E. HEATH, Auditor.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The names given to things belonging to royalty, if not really blasphemous are truly ridiculous. Thus, certain parts of the king's dress at the coronation and articles used thereat, are called "*holy*"—"*sacred*," &c. And it is noticed that one of the mantles anciently used, was "*sacrilegiously*" stolen. We plain republicans cannot understand how there could be any thing more like sacrilege in the stealing of that mantle than in stealing a sheep.

A smuggling vessel was lately captured by a revenue cutter and sent into Dover. Ten of her crew being judged "fit for his majesty's service," were put into jail until they could be delivered to some proper officer. But at noon-day, a large mob of smugglers and others collected, and, though every precaution in the power of the mayor had been taken, proceeded to work, unroofed the jail, threw down one of the side walls, and set all the prisoners free! Several persons were injured in the affair.

The *Kent*, of 74 guns, which was pulled on her slip by machinery about two years since, will be launched in the course of the next autumn. She has had a complete repair, and is as good as new. It is said that the expense of hauling up so large a ship as the *Kent*, is so great, that the experiment will hardly be repeated.

The queen. This woman has been generally represented to us as coarse and indelicate. Mr. Caning, who some years ago had many opportunities with her as a legal adviser, has recently spoken of her in parliament as possessed of "fascinating manners—of an open, generous, and unsuspecting disposition"—that he felt nothing towards her but "affection and esteem;" and said, though he is one of the cabinet ministers, "so help me God, I never will place myself in the situation of an accuser towards that illustrious individual."

Royal Society. Sir Joseph Banks, from his age and infirmities, has tendered his resignation as president of this enlightened body. His resignation, however, was not accepted, from respect to his services. But an effort seems to have been made to elect prince Leopold in his room! We pray that the honors of science and literature may remain the exclusive property of talents and worth, and not come under the withering grasp of royalty; though a besotted prince, living in open violation of most of the articles of the decalogue, was elected patron of the great British Bible Society.

Courtesy manners and severe rebuke. We have heard much of the princely deportment, suavity of manners, and polished behavior of the prince regent of England, now George IV. An anecdote, however, is related of his behavior to the celebrated Curran, which places these qualifications in rather a questionable point of view. Upon Curran's appointment as master to the rolls in Ireland, being in London, he was invited, together with many other distinguished characters, to dine with the regent, who shewed him great and marked attention, by placing

him on his left hand at table. The bottle passed in princely stile during the entertainment, and after drinking a variety of exhilarating toasts, the chairman requested every noble guest to *fill a very high bumper*, which was complied with. The prince raised his glass apparently with the intention of saying something agreeable: all eyes were fixed on him, eager to meet his wishes, when he, without hesitation, threw its contents in Curran's face! The facetious barrister shook his head, wiped his face, and instantly raising his glass, passed the contents in his neighbor's face; who bounced up greatly enraged, and was about to proceed to extremities, when Curran addressed him with much good humor, saying "My lord, it came from the chair!"

Church of Scotland. An order in council having last year been sent to the general assembly of the church of Scotland, prescribing forms or heads of prayer, to be used by the ministers of that church, respecting prayers for the royal family, it was taken up by the general assembly on the 20th May. The following motion was thereupon made and carried, 126 to 53:

"That, whereas the independence of the church of Scotland, in all matters of faith, worship and discipline, is fully established by law, the general assembly finds it unnecessary and inexpedient to adopt any declaration with regard to the late orders in council, relative to prayers for his majesty and the royal family."

Later—London dates to the 22d June.

Bills for a loan of 12,000,000*l.* and the funding of 9,000,000*l.* in exchequer bills, are before parliament. But the appropriations proceed in their usual stile. Consols for account were at 70 1-8. [By this we are to understand that the loan is really for *twenty-one millions*.]

Military and marine mutiny bills were pending. Another attempt to reduce the army had failed.

The court of king's bench, in the case of the *rev. Father Hayes vs. E. A. Kendall, esq.* have granted a commission to be sent to Rome, for the purpose of examining his holiness the pope, PIUS VII, cardinal Gonsalvi, and other church dignitaries of that city, in order to falsify a libel brought against the plaintiff.

The queen. On the 19th of June, lord Castlereagh announced to the house of commons the failure of the negotiation with the queen, and laid a large bundle of papers on the table, the titles of which were read, and they were ordered to be printed for the use of the members. He and Mr. Brougham both expressed themselves doubtful if any arrangement would be made. On the 20th, when Mr. B. took his seat in the house, he was loudly cheered!—and an anxious debate took place, but nothing was decided—some wished a further postponement of the affair, and so it was laid over until next day, an account of the proceedings on which has not reached us. Lord A. Hamilton gave notice that he should move for the production of the orders in council, in pursuance of which her majesty's name was erased from the liturgy." ["Hear, hear."]

The queen is said to have determined to remain in England, and to have engaged a residence in the country.

A London paper of the 20th gives the following account of the negotiation—"The negotiation between his majesty's ministers and the queen, as we stated in yesterday's paper, has failed. The correspondence, by the king's command, was laid upon the table of both houses, and ordered to be printed. They are, in all, ten papers. The two first are genuine copies of the letter of the earl of Liverpool,

dated the 10th inst. and her majesty's answer, the substance of which was stated, but not accurately, in the papers ten days ago. Her majesty was not called on to renounce the style and title of queen. The next was a letter from lord Liverpool, to say that though they had not received an answer to the proposal of the 13th April, made to Mr. Brougham, they were still ready to receive any proposition that her majesty might be graciously pleased to make. To this her majesty answers, that this proposition of the 15th April had never reached her hand till now; but the desire which she had to yield to the wishes of the two houses of parliament, would dispose her to receive with the most serious attention, any proposal that his majesty's ministers might now make to her, consistent with her honor and dignity. That it was important to her majesty, that her name should be restored to the liturgy, as the withdrawing it, contrary to the statute, had the appearance of tending to some parliamentary or legal proceedings against her, and that must be removed as an equivalent resorted to as the means of removing that impression. That a suitable royal residence should be provided for her, such as her apartments in Kensington palace, which she had never given up, and that then she would be prepared to receive further proposals. To this lord Liverpool replied, that the withdrawing her majesty's name from the liturgy had no view to any parliamentary or legal proceedings, but was grounded on the precedent that the queen of king George I. was not included in the liturgy; and that, as to a royal residence, there was none at this time unoccupied, her majesty's former apartments in Kensington palace being in possession of her R. H. the dutchess of Kent; but his majesty's ministers had directions to supply her with the means of such accommodation as her majesty might be pleased to chose for herself. To this the queen replied, that the omission of the name from the liturgy of the queen of king George I. was only while she continued abroad, and that the restoration of her majesty's name was indispensable to her honor. A proposal was then offered of a mediation, which was agreed to; and the next papers are the protocols of the meetings at the house of lord Castlereagh, in St. James' square. At these conferences it was stated, on the part of her majesty, that the unfortunate circumstances in which she was placed, her anxious desire for the public tranquility, would make her give up with reluctance her wish to remain in this country; but in taking up her residence abroad, instructions must be given to his majesty's ministers to receive and present her at every court which she might visit, as queen of the United Kingdom. As to her name being mentioned in the liturgy, she again demanded it as a *sine qua non*. It was answered, that it was the invariable etiquette that foreign courts would not receive any person who had not been presented to the court of their own sovereign.—But if her majesty would condescend to fix her residence either at the court of Milan, or another in Italy, his majesty would instruct his ministers at such court to shew her the due attentions as queen of England, but his majesty could not take upon himself to say that his recommendation would be effectual as to her being received as queen. It is also said, that when her majesty had fixed on the place of her future residence, a suitable provision (and we understand the sum stated was 50,000*l.* a year) would be settled on her for life. The natural and dignified reply to this was—that money ought not to be mentioned, for nothing was so distant from her thoughts. It was not for money that

she contended, and it must not be alluded to again. Finally, she could not accept of a conditional recommendation to be received at the court where she might take up her residence, and she must insist on the stipulations which had been required.—Here the negotiation broke off.

Latest—London papers to the 28th of June.

The case of the queen almost exclusively occupies the newspapers. She has ordered a residence to be fitted up for her in England, where she intends to reside at least one year. Mr. Brougham is to resign his seat in the house of commons to plead her cause before that of the lords. It will be seen below that she has been rather censured by the house of commons for rejecting the overtures made to her. We suppose now that her trial will be pressed. She persists in demanding "her rights," and there appears to be no alternative. It seems highly probable that many most scandalous tales will be told. The public, indeed, is prepared to expect much obscene matter.

The secret committee of the house of lords is about to commence its operations.

In the house of commons, June 22, Mr. Wilberforce offered the following resolutions:

Resolved, That this house has learned with unfeigned and deep regret, that the late endeavors to frame an arrangement which might avert the necessity of a public enquiry into the information laid before the two houses of parliament, have not led to that amicable adjustment of the existing differences in the royal family which was so anxiously desired by parliament and the nation.

That this house, fully sensible of the objections which the queen might justly feel to taking upon herself the relinquishment of any points in which she might have conceived her own dignity and honor to be involved, yet feeling the inestimable importance of an amicable and final adjustment of the present unhappy differences, cannot forbear declaring its opinion, that when such large advances have been made towards that object, her majesty, by yielding to the earnest solicitude of the house of commons, and forbearing to press further the adoption of those propositions on which any material difference of opinion yet remains, would by no means be understood to indicate any wish to shrink from inquiry, but would only be deemed to afford a renewed proof of the desire which her majesty has been graciously pleased to express, to submit her own wishes to the authority of parliament; thereby entitling herself to the grateful acknowledgments of the house of commons, and sparing this house the painful necessity of those public discussions, which, whatever might be their ultimate result, could not but be distressing to her majesty's feelings."

Lord A. Hamilton moved, as an amendment, that at the end of the first period in the original resolution, all the words between "that this house" and the words "sparing this house" should be struck out, and the following words inserted in their stead.

"That this house, sensible of the objection the queen must feel at the relinquishment of any points in which her dignity and honor are involved, is of opinion, that the insertion of her majesty's name in the liturgy would be, under all the circumstances of the case, the most expedient and most effectual mode of sparing this house," &c.

Sir F. Burdett seconded the amendment.

Mr. Wilmot supported Mr. Wilberforce's motion in a speech of some length.

A debate of great length ensued. At the conclusion of which strangers were ordered to withdraw.

Lord A. Hamilton's amendment was negatived without a division. At half past three A. M. the house divided on the original motion.

For Mr. Wilberforce's motion	391
Against it	124

Majority	267
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Ordered, that these resolutions be laid before her majesty.

Ordered, That Mr. Wilberforce, Mr. Stuart Wortley, sir T. Ackland and Mr. Bankes, do attend her majesty with the said resolution.

On the 23d the queen's answer was presented to the house by the committee, as follows: "I am bound to receive with gratitude every attempt on the part of the house of commons, to interpose its high mediation, for the purpose of healing those unhappy differences in the royal family, which no person has so much reason to deplore as myself. And with perfect truth I can declare, that an entire reconciliation of those differences, effected by the authority of parliament, on principles consistent with the honor and dignity of all the parties, is still the object dearest to my heart.

"I cannot refrain from expressing my deep sense of the affectionate language of these resolutions.

"It shows the house of commons to be the faithful representatives of that generous people, to whom I owe a debt of gratitude that can never be repaid.—I am sensible too, that I expose myself to the risk of displeasing those who may soon be the judges of my conduct. But I trust to their candor and their sense of honor, confident that they will enter into the feelings which alone influence my determination.

"It would ill become me to question the power of parliament, or the mode in which it may at any time be exercised. But however strongly I may feel the necessity of submitting to its authority, the question whether I will make myself a party to any measure proposed, must be decided by my own feelings and conscience, and by them alone.

"As a subject of the state, I shall bow with deference, and if possible, without a murmur, to every act of the sovereign authority. But as an accused and injured queen, I owe it to the king, to myself, and to all my fellow subjects, not to consent to the sacrifice of any essential privilege, or withdraw my appeal to those principles of public justice, which are alike the safeguard of the highest and the humblest individuals."

After which there was considerable debate, but the house adjourned without deciding any thing. On the 26th, lord Castlereagh moved that the subject relative to the queen should be postponed till "Thursday se'night," and that further debate on his majesty's message about her, "be adjourned to Friday week,"—which were agreed to, 195 to 100.

The members of parliament, who waited upon the queen with the resolves of the house of commons, were exceedingly abused and violently hissed by the populace assembled near her residence. After they had retired, they called loudly for the queen, and she appeared on the balcony, richly dressed. It was announced that she was to visit Drury Lane theatre, where a particular play was to be performed, at her request. It appears very evident that she is desirous of increasing her popularity, under the belief, perhaps, that public feeling may have some weight in the scale against the influence of the king and his ministers.

In the house of lords, June 26, the following petition was presented from the queen.

"*Caroline Regina*—The queen having been in-

formed that proceedings, affecting her dignity, honor and character, have been instituted against her in the house, feels it necessary, as the only constitutional way which she is informed is left to her, to approach the house of lords, and to petition as a fellow subject. Her majesty is ready and anxious to meet every charge affecting her honor, and challenges the most complete inquiry into her conduct; but she protests against any committee of secret examination. Her majesty is also anxious that the inquiry should be speedily and openly gone into; but she cannot bring herself to think that the house of lords will sanction so crying an injustice as that of proceeding to that enquiry in the absence of herself, her counsel, and witnesses, the latter of which cannot be brought together in some weeks; but the moment they arrive, her majesty will cause due notice to be given to the house of lords, that the inquiry may proceed any way the house may think fit. In the mean time, before any other step is taken, her majesty prays to be heard, by her counsel, at the bar of their lordships house this night."

On this being read, her counsel were admitted.—Mr. Brougham boldly pledged himself to maintain her cause, and afford "glorious proof of her innocence." He asked for a little delay "not in the vulgar sense of the word," but merely to collect and arrange those materials which was to resist and drive out from their lordships presence the "creatures who had been spying into her conduct," &c. After which, the meeting of the committee was put off to the 28th June.

On the 27th June, the last date that we have before us, it was proposed to discharge the secret committee altogether—This was rejected 102 to 47.

FRANCE.

A writer in the *Federal Gazette*, who appears to have made himself fully acquainted with the subject, has given us a long and interesting article on the "French election law," in that paper of Monday last; of which the following is a brief abstract, leaving out any notice of his well pointed comments:

After the abdication of Napoleon and his exile to Elba, Louis granted what is called the charter, in 1814, which contained many provisions supposed to be suited to the advance of mind. Among other things, this charter provided for a representation of the people in the chamber of deputies, after this manner—the voters for deputies were to be persons paying 300 francs, (about \$60) direct taxes, and to be 30 years of age. They met at the chief town of their department and elected the deputies to which it was entitled. A person eligible to serve as a deputy, was to pay, at least, 1000 francs, (\$200) direct taxes, and to be 40 years of age.

About four weeks after the battle of Waterloo, when Paris was possessed by the allied troops, another regulation was adopted under their bayonets; but it did not last long, and gave way to that above-mentioned in the charter; under which, all the persons in France, entitled to vote, only amounted to between 80 and 100,000.

The new arrangement proposed, and lately carried by the ministry, gives the power of representation to 15 or 20,000 electors, out of a population of 28,000,000 of people, and those the most wealthy, and, of course, the least friendly to the advancement of the lower and middling classes of the community, after this manner:

"The list of all the qualified voters in the department being taken, the one fifth in number of that list, are selected, who pay the highest taxes—beginning with him who pays most, and so, going

down until the one fifth of the whole number of voters in the department are taken. These persons so selected are to form the *Electoral College of the Department*; the remaining number of voters are to be divided into as many colleges as there are *arrondissements* in the department, each *arrondissement* having its college of *arrondissement*, each of these colleges of *arrondissement* is to nominate as many persons as the department has a right to send deputies to the chamber.

"The list of all the persons nominated by the *arrondissements* is then presented to the college of *department*, composed as above stated; and from that list the college of *department*, selects the number of deputies, which the department is entitled to return to the chamber of deputies.

"But if there should not be a sufficient number of candidates returned by the colleges of *arrondissement*, as having an absolute majority of the votes, the college of *department* can complete the list by taking the names of any persons voted for, no matter how few votes they may have had—so that a person who has the least number of votes may be returned as a deputy to the chamber. For example, the department *L'Aisne*, is composed of five *arrondissements*, and sends four deputies to the chamber. The colleges of *arrondissement* will have to present, therefore, twenty candidates to the college of *department*. But, suppose that two or three persons, most distinguished in the department, should be voted for in several of the *arrondissements*—the college of *department* may make up the list of twenty from the others voted for in the *arrondissements*; and then, as it may choose any on the list, it may actually return to the chamber of deputies a person who has received only one vote, in preference to him who has received a thousand."

With such provisions, the idea of representation is a mockery—yet the ministry have said that, without such checks, it was impossible for the present government to stand! Then let it fall. The original law was bad enough—out of nearly five millions of men, capable of bearing arms, and liable to be called upon to defend the country, it only allowed about 100,000 voters—that is, one of fifty; now they would allow only one of two hundred and fifty to have direct weight in electing the representatives of the people!!!

One of the latest London papers says—We are informed by an intelligent Frenchman, just arrived from France, that some very serious disturbances have taken place at Lyons. An immense mob assembled, who were attacked, and finally dispersed, by the Swiss, with the loss, however, of about 300 of the latter killed and wounded. That the legion de la Vienne had refused to fire on the populace, and were in consequence decimated, and their colonel thrown into prison. He adds that the *censure* will not allow any of the above particulars to appear in the journals.

A late private letter from Paris says—The distrust and alarm and indignation of the public mind has nearly reached its highest point: the cup is nearly full, a very few drops more and it will overflow. If arbitrary power and oppression seem determined to re-seize their sceptre in this country, old friends and allies—the ignorance and prejudices of the dark ages, have also awaked from their slumbers.

Accounts from Paris were to June 19. The municipal body of Paris had presented a loyal address to the king, lamenting the late disturbances. The king said the charter was dearer to him than to those who had shrouded its name. At Brest, Nantz and

Rennes, there had been riots, which had been suppressed by the military.

A new ordonnance of police has been published at Paris, strictly enjoining all hotel-keepers, &c. and all persons letting lodgings, or having inmates, to make a daily return of all persons in their houses, whether residing there as lodgers, as guests, or as friends.

Letters and papers from Paris, of the 22d of June, are noticed in those of London. That city was tranquil, but at Toulouse, Rheims, Issore, Brest and Caen, some disturbances had taken place, tho' nothing serious is mentioned as having happened.

NETHERLANDS.

The moving mountain.—Accounts from Namursay, that the moving mountain has made terrible progress during the night, from the 30th to the 31st of January. It has advanced more than six feet; the communication between that city and Dinant, which was the great road to Paris, is shut up; people must go by way of La Plante, along the Meuse, and in case the waters should rise, the passage would be impossible. The house of Mr. Staplaux is cracked by the pressure of the earth, and that of Mr. Detilleux is threatened by the neighborhood of a mass which is sixty feet higher than the roof.

SPAIN.

Accidentally turning over the ninth volume of the *Rassisen*, page 412, we saw an account, told by a fellow from the pulpit, of the labors of Ferdinand, when at Valency, in France, to make a petticoat for the "Queen of Angels," the Virgin; and that she, the said "queen of angels," appeared to another fellow and the king himself, to express the pleasure which her new clothes gave her, promising great things! The story is worth referring to by those depressed in mind, that they may laugh heartily and be relieved, though it was printed under authority of the *holy* inquisition!

The following is the substance of sundry late regulations of the government of Spain:—Licenses, which have been granted since the 9th of March last, to trade beyond seas, are suspended: *flogging* is prohibited throughout the Spanish dominions: the proper tribunals are to take cognizance of all suits arising from confiscations and reprisals: the political sentiments and moral character of the revenue officers are to be enquired into: the chapters of certain churches praying to be maintained in the enjoyment of certain *privileges*, have been told that privileges are contrary to the spirit of the constitution, and that, therefore, their application cannot be complied with: invalid soldiers are to be preferred for revenue officers, and the girls who marry such persons are to be the first pensioned: the king has given up many sources of his personal revenue for the payment of the national debt: the creditors of the state are hereafter to receive the funds appropriated for them.

Don Raphael Diego, having four times declined the appointment of major-general, which had as often been offered to him by the king of Spain, on the fifth offer, accepted the appointment. He has a command of 3600 men at Seville.

Two regiments have had a quarrel at Zerez, but the particulars are not yet known.

An article from Irun, dated the 6th instant, says:—"Messrs. Calderon and Cerezo, comprehended in the late royal decree against the 69 perjured members of the cortes, are at Bayonne; and Messrs. Labondesa, Cattero and Sanchez, belonging to the same party, are at St. Jean de Luz.

"The marquiss de Villa-Piayres, secretary-general of the supreme tribunal of the inquisition, was

to leave the capital on the 4th, in order to proceed to Genoa, where he is conveying all the furniture of his house, and even his library."

RUSSIA.

An article, dated Hamburg, June 12, states that "the emperor of Russia has addressed a declaration to all the European courts, relative to the late political changes in Spain."

A Frankfort article mentions the negotiation of a new loan of 100,000,000 roubles for the court of Russia.

On the 24th of May, a fire broke out in the imperial palace of Zangajesco, 14 miles from St. Petersburg, which consumed a great part of that splendid edifice, together with the academy founded by the present emperor. The emperor was present during the conflagration, and animated the exertions of the engineers and military in extinguishing the flames.

TURKEY.

Great preparations are making at Constantinople for the reduction of Ali Pacha, who is represented to be immensely rich, and determined to employ his money to maintain his revolt by arms.

SOUTH AMERICA.

Com. Aury has returned to Old Providence, with a light squadron of 15 vessels, from an unsuccessful attempt on Truxillo and Amoa, from whence he was beaten off, with the loss of 15 killed and wounded, and one vessel sunk.

CHRONICLE.

Died, on Sunday last, at Georgetown, John Graham, esq. late minister of the United States at the court of the Brazils.

A general court martial, composed of gen. Scott, as president, and colonels Mitchell, House, Pinkney, Lawrence, Eustis, and Walbach; as members, was to have assembled recently, at Detroit, in Michigan, for the trial of several officers of high rank in the army. Col J. L. Smith, of the 3d regiment, is said to be one of these officers.

From Gibraltar. We learn that on the arrival of the Columbus, 74, com. Bainbridge, at that port, gov. Don immediately sent him a polite note, stating that the restriction which he thought it his duty to impose on the American squadron, in March last, was removed—by order of his government; who, it seems, rightfully considered that the quarrels of a few individuals should not assume any thing like a national affair. The customary salutes were then fired, and the commodore went on shore to visit the governor. After which, those officers who had behaved so badly to capt. Thompson, of the Guerriere—see page 271, together with those of the sixty-fourth regiment, who seemed to have combined to kill the officers of that ship, nobly came forward with satisfactory apologies. So all is peace again. Capt. Thompson had been requested by the governor to prefer a statement of facts against the officers who visited his ship, that they might be tried by a court martial, but he generously declined it. The conduct of com. B. in this affair is highly spoken of, and the whole matter has added not a little to the reputation of our countrymen.

Philadelphia. It was announced in the papers of that city of the 4th inst. that during the preceding fortnight twelve cases of "yellow fever," had appeared in a small district, nine of which had terminated fatally, and that the three others had been removed to the country: but that no case of the disease was then known to exist in the city. No new case has been reported since, and we sincerely

hope that the health of Philadelphia may be preserved. The district was depopulated by the board of health, except one person who would not remove—fenced up and guarded, to prevent access to it. The seat of the disease was in a space of only 80 yards. Here is proof that the disorder is local, were further proof of the fact desired.

Mortality. Intermittents in Baltimore for the week ending Aug. 7.—Consumption 4, still-born 2, teething 2, worms 1, cholera 14, suicide 1, accidental death by hanging 1, old age 4, dropsy 1, suicide by insanity 1, convulsions 1, casualty 1, dysentery 3, rheumatism 1—Total 37.

Of whom 16 were of one year and under, 5 between 1 and 5; 3 between 5 and 10; 1 between 10 and 21. Of the whole number, 8 were colored. This shews, perhaps, the most extraordinary degree of health ever known at this season of the year in Baltimore.

The number of deaths in Philadelphia during the last week was 53 adults and 58 children. Of those there were of Colera morbus 27, dysentery 5, remittent fever 1, bilious fever 13, nervous fever 1, malignant fever 4, typhus fever 3, leprosy 1.

Counterfeit bank bills, abundant!—1.—as 5 dollar bills of the bank of the U. S. payable at Philadelphia, not engraved by Murray, Draper, &c. 2.—3's of the Union bank of Georgetown, so well done as to deceive good judges—let the whole of this denomination be rejected. 3.—5's of the Farmer's bank of Maryland. 4.—3's of the same, both payable at Annapolis, which may be detected by those acquainted with the genuine notes. 5.—1's of the Franklin bank of Baltimore. 6.—2's of the same bank. With care these may be discovered, but the best way is to refuse to take neither 1's or 2's of this bank. Is it not time that the trash of small notes was driven out of circulation altogether?

Eastern banks. There are one hundred and one BANKING INSTITUTIONS in New England, which are divided among the states as follows: Maine, 15—New Hampshire, 11—Massachusetts, 30—Rhode Island, 34—and Connecticut, 11.

Naval. The ship of the line just about to be launched at Philadelphia, is to be named the "*North Carolina*," as determined by the lot. Her figure-head is to be a bust of sir Walter Raleigh, who is considered as the founder of the state. In like manner as in the case of the *Ohio*, a frigate is immediately to be laid down on the place now occupied by the "*N. C.*" There is a great economy in timber by this arrangement.

African colonization. By the arrival of his B. M. ship *Tartar*, sir Geo. Collier, at Charleston, from the coast of Africa, we learn that 14 out of 22 of the principal settlers, recently from the United States, had died at Shebro' island. This is truly bad news. The British have four corvettes and two gun brigs on the coast. The officers and crew of the *Tartar* had suffered severely—in nine months, 1 lieutenant, 2 masters, 4 surgeons, 1 purser, 1 gunner, and several midshipmen, had been buried from her.

North-Carolina. We lately noticed an alleged defect in the law of this state, as to the election of presidential electors. The law is now said to be sufficient—a different opinion was entertained on account of the words *hereafter* having been printed for *hereinbefore*.

The Choctaws. We are pleased to believe that the report of a dreadful civil raging among this tribe of Indians is without foundation. A late traveller through the nation heard nothing of it.

Com. Chauncey has been appointed president of the *Agricultural Society* of New York. This selection appears rather singular, though pleasing.

More silver! We have the following account of the discovery of a silver mine, in a paper printed at Salem, Indiana, July 10.—"We have been informed by gentlemen of credibility, that there has been a silver mine lately discovered in the late purchase in this state. The circumstances relating to it are these: A few months ago, a gentleman near the boundary line was informed, by an Indian, that there was a mine of this kind somewhere, but refused to tell him where it was, unless the man would pay him fifty dollars, a horse, gun and several blankets, which the man did, and was taken to the place, and brought away several pounds of the ore. He has since, we are told, brought away about three hundred pounds. He refuses to tell where it is, but says there is at least three waggon loads already cast into bars by the Indians, which he intends to bring away. We have seen (so have several citizens of Salem) some of the ore, and should suppose it at least two thirds silver. The ore is so pure that it can be drawn out with the hammer, into bars of almost any size, and it is thought by some to be sufficiently pure in its natural state. From the representation of it, the mine is inexhaustible, and in a situation difficult to be discovered."

Whaling! It would seem by the following article from the Boston Patriot, that the invention of the torpedo by the late Robert Fulton, to destroy enemies' ships in the late war, is about to be made use of for another valuable purpose, viz. blowing up whales!

"It was hardly to have been expected, that these destructive engines should have been adopted in the prosecution of one of the most thriving branches of business in which navigation is now employed. Yet, we are informed that a vessel has recently been fitted at New-Bedford, bound on a whaling cruise, with an apparatus on board for the purpose of talking whales by blowing them up.

Torpedoes, of arrow form, are thrown from a gun on board the vessel, which are calculated to sink into the body of the whale, and there explode. As the experiment has not yet been fully tested, we think its success, to say the least, is problematical."

New York school fund, &c. We have a long and interesting statement in the New York papers, of the funds set apart for literary purposes. They chiefly consist of bonds and mortgages, for money loaned, a considerable quantity of bank stocks, and sundry valuable tracts of land. The amounts are as follows:

The fund for the support of "common schools" is equal to \$1,232,908—and its annual product about \$78,964.

The fund for the "promotion of literature" amounts to \$201,439, and its income is \$5,288. This fund is divided among the colleges, in proportion to their scholars. Both of these funds are on the increase as to value and product.

Besides—the occasional grants of the legislature for literary purposes since 1790, amounts to one million, one hundred and eighty-nine thousand and fifty-six dollars. And the general aggregate of appropriations, for the last thirty years, including escheated lands, school lots, fees, &c. but excluding the annual revenue derived from the permanent funds, is estimated to amount to three millions of dollars!

NILES' WEEKLY REGISTER.

NEW SERIES. No. 25—VOL. VI.] BALTIMORE, AUG. 19, 1820. [No. 25—VOL. XVIII. WHOLE No. 467

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We have been politely requested to register the convention by which Louisiana was ceded to the United States, and shall do it at the first convenient season.

Our late news from England shew that the king and his ministers have resolved to degrade and repudiate the queen, if they can.

BAD MADE WORSE. Few gentlemen have claimed a greater share of my respect than the patriotic governor of Tennessee—a plain honest man “whose word would pass for more than he is worth;” and I never saw any thing from him or heard ought about him, which I so much regretted as his message to the extraordinary meeting of the legislature of that state, on the 26th of June last, an extract from which was published in the REGISTER of the 29th of July, page 389—in which he recommends what he calls a “property law,” or, in other words, a law to arrest the progress of the law for the recovery of debts honestly due—a violation of contracts. I am sure that he meant well, much as I differ from him as to the justice or policy of this proceeding.

But the legislature, acting on this subject, has adopted something much worse than the governor proposed—they have made a “great big” bank, which shall discount notes, and only call in payments on certain conditions and at fixed rates—the notes of which are to be received in all payments made to the state for lands or otherwise,—it is also enacted, that no execution shall issue unless the plaintiff will agree to receive the bills or notes of this bank in payment; and all this, without the deposit of a solitary dollar in the vaults of the bank to redeem the notes thus attempted to be forced upon the people! Why, the thing is so fiery—has so much of combustion in itself, that it must blow up; but not perhaps, until some “cute speculators have made their fortunes out of it, as the fashion is. It is like “jumping out of the frying pan into the fire.”

The madness, the wickedness of the “paper system,” is now so well understood that it is useless to speak upon it. Rascals rolling in wealth and honest men oppressed by poverty, is every where manifested as the fruit which it produces. I do not mean by this to allude to banks established on solid capitals and conducted by worthy men; for a few of these are not only most eminently useful but indispensable to the public convenience, situated as things are. But when a bank is bottomed only on stock notes, or, like that to be made in Tennessee, only founded upon a law, and the notes of such institutions are forced into circulation, it is a robbery on the many for the advantage of a few. It is just as certain as that the sun shines at noon day, that the benefits of this grand panacea will centre in perhaps less than 50 or 100 individuals—and that all the rest of the people of the state will be sufferers by it. We shall see. The generous citizens of Tennessee will curse this institution in less than two years, like the people of Pennsylvania and Kentucky have cursed the abominable litters which have absolutely ruined so many of them, theretofore independent and happy. We “put this down,” that it may be remembered; and that, as on former occasions, we may have the merit of prophecy, when we only mean to say that if a man

applies a coal of fire to a cask of gun-powder, that it will explode.

The United States, with all their influence, could not force the use of treasury notes in the late war, and can Tennessee expect that those of her paper bank will be forced? Public opinion greatly supported the former; but the latter is without this powerful aid: what, then, must be the result? Merely the issue of more paper—a partial procrastination of distress to some needy persons—but accumulated misery to all except a few speculators—the leeches of society, who fatten on the sweat and blood of men. We have had the paper mania and must wear the “straight jacket,” to be cured of it,—the fever must be allayed by abstinence. Nothing else will relieve it.

Besides—the worst evil that Tennessee suffers, has probably been caused by the liberal purchases of her merchants and dealers when the representatives of money were cheap, and any body could get a discount at bank. The continual demands of the importers drain the country of its wholesome medium, and this law will keep what yet remains in it out of circulation. The notes of the new bank, we venture to say, if now issued, could not, in three months hence, be converted into money, even in Tennessee, at 25 per cent. loss, and our brokers would not then buy them at 75 per cent. discount. But, the law of the state cannot interfere with a creditor in another—the courts of the United States will not respect this law of the state, impairing the obligation of contracts, and executions must issue. What then? only gold and silver, or the notes of specie-paying banks, will be received, and property will be sold at less, perhaps, than half the price which it would have brought but on account of this unfortunate unconstitutional law—the enactment of which, with the light and knowledge at present spread before the people as to the effect of a positively paper currency, is about one of the most wonderful things that we have lately met with—as odd, as that the king of England should be president of a society “for the suppression of vice and immorality!”

AGAINST THE NEW TARIFF. The following printed circular, from the Chamber of Commerce of Philadelphia, appears to have been freely distributed over the United States:

Philadelphia, June 29th, 1820.

SIR—The Chamber of Commerce of this city, being impressed with a belief that the contemplated revision and alteration of the system of duties, at the next session of the national legislature, is one of the most important measures which can be the subject of deliberation by the general government; and alarmed at the efforts which were made during the last session of congress to establish a new tariff, founded on principles which they conceive to be highly injurious both to the commercial and agricultural interests of the union; consider it incumbent upon them to take the most early and effectual measures to prevent the proposed alteration.

Under these views entertained by the Chamber, at a special meeting held on the 14th inst. it was determined that it would be essentially useful to collect the sentiments and information of the great

body of merchants and men conversant with the trade of the country, that they may be combined in the assertion and maintenance of the rights and interests of commerce, in a manner calculated duly to impress the national legislature. Resolutions were accordingly passed, a copy of which is annexed.

The committee appointed by the Chamber beg leave to request, that you will take measures to promote this interesting object, by making known these views to the merchants generally in your place, and exciting them to a thorough examination of the subject, that they may become actively and earnestly engaged in the support of interests which are of most unquestionable magnitude.

With deference the committee suggest, that the sentiments of the merchants, and others connected with commerce, may be most effectually collected and embodied, and a system of uniform and general action be best matured, by a convention of delegates, from as many of our mercantile towns and cities as can conveniently send them, to meet in one of the central cities; and to this suggestion your particular attention is requested.

The committee trust that it will be recollected, that complaints have been made, with great justice, of the extreme inattention of the mercantile interest to this most important subject, during the late session of congress, and confidently hope, that hereafter no cause will exist for a similar imputation.

The committee will be happy to receive from you an early communication on this subject, and request that it may be directed to John Vaughan, Esq. secretary of the Chamber of Commerce of the city of Philadelphia.

On behalf of the committee,

ROBERT A. ALSTON, *President.*

THOS. M. WILLING, *V. President.*

JOHN VAUGHAN, *Sec'y C. C. Phila.*

Extract from the minutes of the Chamber of Commerce of the city of Philadelphia, at a special meeting, held the 14th of June, 1820.

"Resolved, That a committee be appointed to enquire if any, and if any what alterations are necessary in the existing tariff of duties; to digest and prepare a new system if they think proper; to correspond with and interest the Chambers of Commerce in other places; and where no such bodies exist, to apply to the principal merchants and endeavor to obtain a general co-operation, by convention or otherwise, of the mercantile community, in a representation to congress at the ensuing session; the object of which will be to afford equal encouragement to the great branches of national industry, agriculture, commerce and manufactures; and generally to pursue such measures as they may deem proper to promote the object of their appointment.

"Resolved, That the officers of the Chamber, together with Messrs. H Pratt, Jacob Sperry, Samuel Archer, R. M. Whitney, J. R. Evans, J. S. Waln, B. Dahlgren, Charles Perry, and J. Goddard, be a committee to carry the foregoing resolution into effect."

In consequence of the preceding, a meeting of merchants and others was held at Richmond, Va. on the 8th inst., at which the following resolution was adopted:

"Resolved, That a committee of seven be appointed to take into consideration the papers which have been submitted from the Chamber of Commerce of Philadelphia, and to report such measures, touching the proposed tariff, as the said committee may deem it expedient to adopt, to a meeting to be held

at the Coffee Room, on Friday, the 8th September."

And the following gentlemen were then constituted the committee, viz. Messrs. Thomas Rathenford, Robert Pollard, John G. Gamble, Charles Ellis, Edmund Taylor, Thomas Brockenbrough and William Galt."

It is highly probable that similar meetings will be held in many other places; for it is said, that "when the manufacturing interest conspires, it is necessary for the agriculturalists and merchants to combine."

The agriculturalists of the eastern, middle and western states, we are of opinion, see it clearly to be their interest that domestic manufactures should prosper, because of the *home-market* afforded for the productions of their soil—a market whose advantages are every day becoming more and more manifest to them. We venture to say, without the fear of contradiction by any one who has the mind to ascertain and the industry to consider what may be called the *statistics of life*, in a state of society, that the location of one hundred manufacturers in a district containing one thousand persons engaged in raising and rearing articles of food, would give an increased value to those articles, in consequence of such location, so that the *difference* in price would exceed the *entire amount* paid for clothing the thousand, much more the pittance of price which an *advance* of the duties might impose upon their apparel:—we mean in times like the present, when Europe is at peace, and every nation is required to rest upon its own resources, destitute of artificial excitements and temporary advantages. But it may not seem to be alike the interest of that class of agriculturalists, generally known and understood by the name of planters—that is, the growers of cotton, tobacco and rice, important staples of our country and worthy of great consideration. As, comparatively speaking, they raise no more grain and cattle than is sufficient for the common consumption of their respective families and districts, bending their force to the articles mentioned, it appears to them that an advance of duty on a yard of cloth, needful for the comfort of themselves or their people, operates as a direct tax upon them, without any counteracting benefit. In the first place, the amount of this *advance* duty is greatly overrated; and in the second, the protection of domestic industry may prevent a *real* direct tax, which will bear peculiarly heavy upon these, because of the principle of representation adopted in the constitution.

As to the former—It must be recollected that the present duties on imported goods exist for the *sole purpose of revenue*; and, high as they are said to be, we know that we have really to borrow not much short of five millions to keep the "wheels of government" a-going, this year, and it is reasonably calculated that we shall have to borrow more for the service of the next: after which, if Europe remains at peace and we are compelled to rest upon our own natural resources, we must borrow, borrow, borrow, after the manner of Great Britain, —or, levy new taxes or retrench our expenses enormously—perhaps, imprudently. I say *imprudently*, because though I believe that a great retrenchment may safely be made, I apprehend that the "signs of the times" and the general nature and progress of things, will not permit it to proceed so far that our expenditures can be met with the revenue to be expected from imports, in the general want of profitable employment which prevails over so many parts of our country. So we see that, as the present tariff was not laid for the

advantage of domestic industry as applied to manufactures, it cannot be lessened in its amount for the benefit of the planters—government “wants money and must have it.” Well, at this time all cotton goods are estimated (for duty) to cost 25 cents per square yard, and the duty is 20 per cent. *ad val.*; so that the duty on the lowest priced cottons, including charges, (if fairly paid,) may now amount to about 5½ cents per square yard. This takes in a very large portion of the cotton goods which we used to import—not less than one half. Yet so it is, that this rate of duty, by the improvements in labor-saving machinery, may be said to have driven the coarse East India goods out of our market, and to have severely checked the import of those of Great Britain, &c.; and it is a fact, that good and strong American muslins are now selling at from 16 to 17 cents per square yard, as regular prices, which is little enough in all conscience—not to be complained of by any one. But if the duty on foreign cottons was at even 33 1-3 per cent., as proposed by the new tariff, what would the difference amount to? Take the average of the people of the south who are clothed in coarse goods, (about one half of the whole number of persons,) and I venture to say, that they do not consume more than twenty yards of cottons, or any thing in lieu thereof, in a year. On these, the difference of duty would amount to about 60 cents for each person, per annum—the sum which I used to pay every three weeks on the coffee consumed in my little family! which, person for person, was more than twice as much as the proposed difference in the tariff would make, though that difference, it has been fearfully said, would make “Virginia tributary to Rhode Island!” But the fact is, even this difference would not exist. The assessment of the 33 per cent. could only have this effect—to exclude such East India and British goods as we can easily make at home, and, possibly, advance the price of the latter from half a cent to one cent per yard, which would establish our cotton manufactures and afford an ample profit to all persons engaged in them. This is the effect of machinery.* So we perceive that a measure which would employ a large portion of our unproductive population, and give life and activity to many suffering districts, amounts comparatively to nothing, when we look at it fairly. The difference in the cost of clothing a full field hand, (as to cotton goods), would be less than the duty which I paid for the coffee drank by my youngest child!

We state the case as to cottons and apply our remarks only to coarse goods, for the sake of example. We think that distinctions might safely be made in regard to cotton, as well as in other goods; and that duties, as *protective*, should only be laid on those things which experience has proved we can make with a little encouragement, to give employ to the surplus labor of the country. It is the carelessness of estimating surpluses that leads many into error—a surplus of five barrels of flour to the hundred, will depreciate the whole value of the hundred more than the five are worth; and five people, as a surplus, idle in a hundred, will reduce the profits of the labor of the hundred more than the wages of five persons would amount to. This may be better understood by asserting, as I firmly do, that if the state of Georgia, for instance, raised no bread stuffs, all the surpluses of all the rest of the states would hardly supply her people with food.

* *Rapid weaving.*—In the Otsego manufactory, belonging to col. Williams & Co., three girls, in power looms, made 296 yards of shirting, on the 11th July.

In the second place, the necessity of *direct taxes* is evident, if the laboring classes want employment. Men may say what they please and talk as they like of the taxes which they pay—the base of nine-tenths of all that are levied any where rests upon the productive classes. We have recollected the shrewd remark of Mr. Jefferson, when a citizen of New York was boasting of the amount which that city paid into the treasury—“remove the custom house across the Hudson,” said he, “and the city of Jersey will pay it.” Every resource of this kind depends upon production—without that, *rents* and *interests* cannot be paid nor trade be supported. The corporation of the bank of the United States does not create the value of one cent during a year; and, without its assessment on the labor of others, would be minus by the amount of its expenses. The laboring people in the United States are very numerous. Britain, with her much greater population, has not one half so many persons who live comfortably upon their daily or weekly wages as we have had; and so it was, that persons receiving from one to two dollars per day, paid more taxes in the United States than others, (planters and farmers), worth many thousand dollars, from the circumstance that they live chiefly in the cities and towns and used more of foreign taxed products. But how is it now? They are forced to retrench—an occasional glass of wine or of brandy and water, a fine broad cloth coat and many little matters for the women, are dispensed with: rye supplies the place of coffee and tea, and whiskey only is to be found in their cup boards. Journeymen mechanics* who have families, paid taxes to government on coffee, tea and foreign liquors, of from 10 to 20 dollars a year—thousands of these are no longer able to pay them; thus it is in many other things, as demonstrated by the deficiency in the revenue—yet to be more severely felt than it has been. They “cannot make bricks without straw”—they *must* use the cheapest things that will sustain and cherish life as their means of living are straightened. It may be said, that the essential articles of food are very low; it is well that they are—a domestic scarcity would furnish us with many cases of actual starvation; but there is no drayman in the street who will not tell you he wishes that flour was double its present price in consequence of a foreign demand; and I heartily wish it, though I never sold one grain of any sort of corn, because it is known that I could more easily pay for what I want, by the circulation which it would give to money, and the increased liberality and punctuality that would attend all money transactions. Salaried men know nothing of this. If all the United States were divided into “ten mile square,” and each square could have as many persons living on salaries as the District of Columbia furnishes, we should get along very snugly! But this cannot be, though it may account for the want of feeling which so generally prevails in the metropolis.

It is a singular fact which conclusively shews the pressure of the times, that our master mechanics, even of the most necessary callings, such as shoemakers, hatters and tailors, are not doing more than one half or two thirds of the business which they did three or four years ago. “People must wear shoes” is a common saying—true, they still wear them, but they take much better care of them than formerly. Cobblers have increased, but shoemakers have decreased. A dollar now affords matter of reflection to many who lately put their hand into their pocket and gave one away, without a thought of how its place was to be supplied.

I have always contended that direct taxes must form a part of every just system of taxation; and, for the causes now stated, have oftentimes said that they would be rendered indispensable. We shall have them before many years, unless prevented by some fortunate *foreign* events to give employment to our people. We are at present depending on the *chapter of accidents*, or on loans, to meet our future expenses, and all administering the affairs of government know it. When the direct tax comes, they on whom it will bear most heavily, may begin to calculate whether it is better for them to pay 100 dollars a year for their lands, houses and slaves, than a *presumed* advance of from 10 to 20 on articles of clothing.

But, as I have said before, I am almost glad that the tariff bill failed at the last session; and indeed, I do not wish it to pass, exactly as reported, at the next. The rates on some articles are too high, unless it is intended to introduce sundry internal taxes or excises—which should be avoided if possible, because of the inquisitorial power necessarily connected with them, and on account of the numerous officers and dependants on government which they must create. I am in favor of going on a step at a time, and of doing effectually all that we pretend to do—of establishing such manufactures as we think it expedient to protect, leaving all else for the purpose of revenue, as now existing. We may advance as our population requires; and, by furnishing employment for all, enable every man to contribute his portion to the public burthens, and so secure prosperity and content.

Missouri Question.

SPEECH OF MR. DARLINGTON, (OF PENN.)

IN THE HOUSE OF REPRESENTATIVES.

MR. DARLINGTON addressed the chair as follows:

Mr. Chairman—I wish to submit a few remarks on this question; and I trust the committee will be disposed to extend their indulgence towards me for a few moments, when they recollect, that I am not in the habit of trespassing upon their patience in this way. I am very sensible that I shall not be able to do justice even to my own views of the subject; for I am utterly unpractised in the business of public speaking; yet, believing that this is a question of vital importance, not only to the character of this nation, but likewise to its safety, prosperity and happiness; and believing, also, that some erroneous impressions exist, in relation to many of those who advocate the amendment before you, I feel constrained to attempt a few observations.

I shall not presume to undertake an exposition of ambiguous constitutional points, after the very able and learned discussions which we have had from gentlemen who have preceded me. Such an attempt would, in my opinion, be as unnecessary now, as it certainly would be presumptuous in me at any time. I shall, therefore, content myself, at this stage of the debate, with offering some of those views which present themselves to a common understanding. And here, sir, as an American, proud and jealous of our national character, I trust I may be permitted to say, that it is a source of no little mortification to me to see the congress of these United States, in the 44th year of our independence, seriously sustaining the question, *whether it be rightful and expedient, without an uncontrollable necessity, to sanction human slavery in the new republics which are to be added to this confederacy?* I had once fondly hoped that such a spectacle would never have been exhibited by us, to gratify the malignant envy of the

despots, and their execrable parasites, who outrage the rights of mankind in the old world, and who sicken at the idea of their conservation here. I had hoped, that we should have persevered with unanimity, as we have hitherto done, in erecting new republics upon the true and genuine principles of our government, excluding human slavery with the utmost care and solicitude, wherever it should be in our power to do so. The generous and predominant sentiments of the American people, as far as I have had an opportunity to be acquainted with those sentiments, seemed to me to warrant such a hope; and I cannot relinquish the idea.

We have been told, indeed—and I feel it my duty as a representative of republican Pennsylvania, to notice the remark—we have been told, Mr. Chairman, that, however laudable may be the motives of many who are in favor of restricting slavery, yet that there are *political jugglers* behind the scenes, who are making use of the proposition and its advocates, as the forlorn hope, and the last desperate effort of an *expiring party*. Sir, where I am best known, it would be needless to say that I have nothing to do with their views, their efforts, or their hopes—that I have never had any concern or connection with that expiring party. From my earliest youth, upwards, I have been a democratic republican; and I leave it to those who have once belonged to the aforesaid expiring party, if there be any such here, to develop the schemes of their jugglers: I have never been in their secrets; but I cannot help observing, that I see gentlemen who are avowed members of that unfortunate party, zealously engaged in the ranks of our opponents, in endeavors to defeat this amendment. Sir, I do not believe it is a question of *party* views with any man who loves his country, or feels an interest in its reputation and permanent welfare. But, sir, I have always been taught to believe, that it was no part of *republicanism* to authorize, or even to connive at, slavery, in the formation of governments, where it could possibly be prevented. I will here frankly confess, too, that it is cause of pain and regret to be opposed to gentlemen for whom I have the highest regard, and with whom it has generally been the pride and the happiness of myself and my colleagues to co-operate. But, on this occasion, I must pursue a course, however opposite to that of my southern friends, which a solemn sense of duty renders imperative; and I ask gentlemen to exercise their accustomed liberality towards us. If they think it strange that we, who have generally acted with them, are opposed to *them* on this subject, we can only say, that we think it equally strange, and we do most sincerely regret, to find them in opposition to us.

What is it, Mr. Chairman, which this amendment proposes, and which seems to excite such an uncommon degree of sympathy for Missouri? What is the mighty bug-bear that so alarms gentlemen? Is it proposed to bind her, hand and foot, and deliver her over to the dominion of despotism? Sir, a man of plain comprehension might well be astonished if he were to learn, for the first time, after hearing the arguments and forcible appeals of gentlemen, that the simple proposition before you is, to enable Missouri to become an independent republican state, and to secure her from the dreadful curse of slavery! We propose to do that for her which we have already done for the states north-west of the Ohio, and for which the citizens of those states will be forever grateful. Mr. Chairman, the existence of slavery seems to be universally considered a great moral and political evil in the community. Honor—

able gentlemen, who have an intimate knowledge of its nature and tendencies, have emphatically termed it a curse and a scourge to society. The ancient and respectable commonwealth of Virginia perceived, at an early day, the evils which it would entail upon her, and she protested against the further increase of it. But the government of Great Britain, regardless of the welfare of her colonies, permitted the temporary interest of a few to endanger the prosperity, the happiness and the safety of the countless generations who were to succeed them. We know that this tremendous evil was fastened upon our country by the mercenary, heartless policy of an arbitrary, commercial government, not only without our agency and consent, but against our earnest protestations. But I beg to ask, sir, what it is we are about to do? I wish every member of the committee would seriously consider *this* question—What is it *we* are about to do? Sir, unless this amendment prevail, *we*, the republican congress of the United States, are about to permit the temporary interest of a few individuals (for *few* they are, compared with the numbers who are hereafter to exist there) to entail this same transcendent curse upon the unborn myriads of our posterity, who will, in future times, inhabit the fertile regions of the west. Yes, sir, *as we now view* the conduct of Great Britain, in imposing or authorizing slavery in some of our ancient commonwealths, so will the future citizens of those western republics regard *this congress*, unless we interpose to stay the progress of the desolating evil. If we suffer this pernicious population to ramify and diffuse itself throughout the new states to be formed in our territories, their citizens will one day direct their agonized views to the proceedings of this body, and deplore the policy which sanctioned their dreadful destiny. They will find themselves doomed to evils, by our connivance and authority, which it will be vain and hopeless to attempt to remove. Will any gentleman of Virginia or Maryland say, that it would not have been a happy circumstance for their own states if the early settlers had been prevented from introducing slaves among them? And will it not be equally beneficial to exclude them from the western commonwealths? Can there be a doubt about this? No, there cannot. Then, *now* is the time to interfere; and it is *now* or *never*. But it is objected, that we are presuming to judge for the people of Missouri. Sir, I consider that *we* are interested in this question as well as the people of Missouri. We are judging for *ourselves* as well as for them; and we are enabled, by melancholy, dear-bought experience, to judge correctly. Gentlemen have acknowledged that they would *advise* an exclusion of slavery, because they know it is an inveterate and incurable evil. But, sir, although we know the future citizens of Missouri would be grateful for the restriction, it is *not* from an officious disposition to meddle with concerns which are foreign to us, that we urge it. No, sir. If the Missourians were to be a separate people, it would be nothing to *us* how many slaves they had, or what regulations they adopted. Although we might *wish* them to enjoy republican freedom, it would be none of our business what they were, or how they were governed. But, Mr. Chairman, they are to become a constituent part of this confederacy; they are to be members of our political family. They are to be co-partners in our great national firm: and are not *we* interested in the character and condition of those who propose to join us? Have *we* no right to judge of the fitness of those who wish to participate in our affairs? We have embark-

ed in the business of free government. We have recognized the sublime doctrines of the *rights of man* in our own states, as far as existing circumstances would permit: and do we not owe it to consistency, to our high character, and lofty pretensions, nay, to our own welfare and safety, to carry this recognition of sound principles into all the new governments erected under our authority, and which are to join us in the magnificent scheme?—Do not the wise and the virtuous, the friends of freedom and of mankind, in all parts of the world, anxiously expect it at our hands? Shall we blast the hopes of those philanthropists, who regard our country as the great asylum, the last and only refuge of liberty and rational government? Forbid it Heaven! We are solemnly bound, not only to secure *our own* welfare, but to provide, as far as we can, for that of our *posterity*. When *we know* that the welfare of our descendants in Missouri, as well as in the United States generally, requires the restriction of slavery, how can we reconcile it to our sense of duty to permit the unnecessary introduction and diffusion of an evil which we are sure will be the scourge of countless generations? But, say gentlemen, the people *now in Missouri* may not choose to exclude slavery; and they have a right to judge for *themselves* in this matter. And pray, sir, have not *this congress* a right, also, to judge for themselves, whether it will be for the good of the union to admit new members who hold mankind as slaves? If the people of this nation, or a great majority of them, believe as I have no doubt they do, that it would be pernicious and dangerous to add new states, of this description, to the union, have they not a right, and a discretionary power, to exclude such states? If they have *not*, then they are in a most deplorable condition. They are then deprived of the right of *self-preservation*, which is a right inherent in all bodies. Sir, *we have* the right of self-preservation; we have the right to judge of the means of our safety: and it is our solemn duty to exercise it, and to guard against evil, whenever it is in our power to do so. It is our duty to take care that the republic receive no detriment; and, believing that it would be highly detrimental to this union, and destructive to the first principles of our government, to sanction the creation of new members with a power to establish human slavery where it is not *absolutely necessary*, I feel bound to oppose it. I should deem it a dereliction of duty, on my part, to connive at such an evil, for which I could not hope to be pardoned, either here or hereafter. I am perfectly satisfied, that the clause of the constitution which says "new states *may* be admitted by the congress into this union," gives us the right to judge whether they *ought* to be admitted. We must exercise our discretion, and ascertain, to our satisfaction, whether such "new states" are of a character to increase the strength and promote the welfare of this union; or whether they may not endanger our safety and happiness: for I contend we have a *right* to consult our safety and to pursue our own happiness. The declaration of independence is surely correct when it asserts *this* right, notwithstanding some of its doctrines have been ridiculed and denied on this floor, as they once were, and probably yet are, in the British parliament. Sir, suppose the island of Cuba should become an independent state, and should apply for admission into this union, with all her slaves and foreign habits; are we bound to admit her? No one will pretend that we are. We should judge for ourselves whether it would be for our own good to receive her: and I, for one, should, *very much* doubt it, under any

treaty stipulations; for I hold the good old republican doctrines relative to the treaty making power.— And yet, sir, we *might* admit her, because congress may admit new states. Sir, I have not the slightest doubt on the subject of our discretionary powers.

The sparse population now in Missouri, may not yet perceive the evils of slavery; and may, therefore, be willing to indulge in the dangerous gratifications which it affords, until it is *too late*. So it was in South Carolina and Georgia. Those states wished for more slaves. They insisted on the privilege (which, unhappily for themselves, and the whole nation, was conceded to them,) of importing that description of persons for *twenty years* after the adoption of the federal constitution. But, Mr. Chairman, what do they say *now*? Do they not see their error? Nay, do they not *feel* it, and deplore it? And are we *never* to profit by woful experience? Are we to go on, wilfully, and perversely, blindfold, in this fatal career, until slavery shall be extended over three fourths of the republics in this confederacy? I hope not. I pray to God that we may have the virtue, and the firmness, to restrain its progress, before we are irretrievably lost in the dreadful abyss. Some of the learned gentlemen of the *bar*, who oppose this amendment, have exercised their ingenuity in subtle distinctions and technical rules of deduction, borrowed from their *profession*. They were, no doubt, very applicable to the subject; and, as far as I understand them, I listened with pleasure—I hope with profit. They also borrowed some of their illustrations from *my profession*; and there, I think, I understood them better. But, Mr. Chairman, I could by no means assent to their correctness, when they came within my province. I trust they are more correct, while on their own grounds. Gentlemen compared the evil of slavery to a malignant poison; and they called upon us to *dilute* it, by diffusion, in order to render it more tolerable. Sir, it is a malignant poison, or rather, I would say, it is a *malignant disease in the body politic*, whose deleterious ravages are extended with all the certainty, and inveteracy, of specific contagion. It is more loathsome than the small pox itself; and its desolating influence ought, by all means, to be confined within the smallest possible limits. Would you diffuse contagion in a community, by way of relief? Would you disseminate small-pox, with a view to dilute its malignity, or to mitigate its effects? No, sir, that would be quackery without a parallel in the darkest ages of the profession. Sir, the immortal ordinance of 1787, respecting the territories northwest of the Ohio, was the grand *Jennerian discovery* in relation to the malady of slavery in our country; and I trust we shall continue to avail ourselves of the blessing.— The congress of '87 introduced a sort of *political vaccination* into the constitutions of Ohio, Indiana, and Illinois, which effectually secured those states from the evil; and I am also for extending the same salutary process to our infant sister, Missouri. And why? Is it to injure her? Is it to mutilate or disfigure her? No, sir: it is to secure her health, and to preserve her beauty! Mr. Chairman, should you deem these observations to savor unduly of the *shop*, I must plead in mitigation of your censure, the *prevalent set* by the gentleman of the *green satchel*. Much has been said, Mr. Chairman, on both sides, about *religion*, as connected with this question. I shall not adduce religious arguments in aid of my opinions, because I am well aware that the sacred name of religion has been too often improperly used for political purposes. I have, indeed, heard the benevolent principles of christianity urged,

with unanswerable force, in my estimation, against the further extension of this crying enormity: and yet I have also recently seen, with feelings which I shall not attempt to describe, the holy scriptures cited as authority in favor of the practice of holding mankind as slaves! But I am not disposed to mingle politics with religion. I am for keeping church and state separate, on all occasions. I cannot, however, help noticing a remark of the gentleman from South Carolina, (Mr. Pinckney). I understood him to say, that slavery could not be inconsistent with religion, because the Deity permits a large portion of the human race to be held in bondage. I am sure the gentleman did not reflect on the extent to which such an argument would go, or he would not have advanced it. Sir, if that doctrine were correct, it would go to sanction every evil that is permitted to exist in society; and we should find little reason to smile, or be surprised, at the quaint determination of the liberty-loving fathers and founders of New-England, who, we are told, resolved that they would be governed by the laws of God until they could enact others better suited to their condition. But, sir, I must beg leave to say, that the religion which sanctifies the unnecessary existence of slavery, is not the religion which we profess in Pennsylvania.

It has been said, Mr. Chairman, in opposition to this amendment, that *all* the citizens of the United States have a *right* to the territory west of the Mississippi, inasmuch as it was purchased with their money; that, therefore, congress cannot prevent citizens from removing thither with their slaves and other property. But it is admitted that the people of Missouri may, themselves, exclude slavery. Now, if it be a right which belongs to a citizen of the United States, as such, to remove there with every description of property, how comes it that his slaves may be thus excluded? Can sixty thousand people, by forming a state government in one of your territories, abridge the rights of citizens of the United States? When the public lands are thrown into the market, can these Missourians exclude all purchasers who wish to come there with their slaves? It would seem that they can; and this, to my mind, conclusively shows that the right to carry slaves into the new states is not a right of an United States' citizen, as such. But, again: it is generally conceded, that congress may prohibit slavery in a *territory*; and yet, if holding and carrying slaves were one of the rights of a citizen, as aforesaid, such prohibition would seem to be a more direct infringement of that right, because the territory is the *common property* of the people of the United States. My inference, therefore, is, that the right to carry slaves into a new state or territory, is not a federal right. I consider the *right*, if it may be so called, of holding mankind as slaves, to be a *local one*, derived from those state institutions where slavery is already permitted.

Mr. Chairman, I cannot but view this ardent desire to introduce slavery into Missouri, as somewhat analogous to the mania for banking which lately prevailed to such an unfortunate degree in some of the states. A number of speculators were so infatuated with the prospect of gain, by banking, that no argument could prevail with them to pause, or to calculate the dangers of the scheme. They persisted in the delusion until they had well nigh ruined the country; and entailed upon it a vitiated currency, which can only be eradicated by a long period of suffering and privation. So will it be, but with consequences a thousand fold more aggravated, if slavery be permitted in Missouri. The pro-

ple of that state, or their posterity, will find, when it is too late, that, by yielding to the seductions of a fallacious, temporary interest, there will be entailed upon them a perpetual curse—an evil without a remedy; and, what is more to the purpose of the present argument, an evil which will not merely affect themselves, but the whole union. It will impair the strength and existing relations of the union; and, therefore, Pennsylvania is deeply interested in preventing such an evil. Sir, Pennsylvania has a deep interest in the perpetuity of this union. Her locality—her territory, stretching from the Delaware to the Ohio, and partaking partly of the character of an Atlantic, and partly of that of a western state; her habits and her attachments, all afford a strong pledge of her devotion to the union; and she cannot fail to be sensibly alive to every measure calculated to affect the bonds of our confederacy. She regards the unnecessary extension of slavery in the new states, as a measure of that description; as a most pernicious and dangerous measure. It is, in her estimation, subversive of the true principles of the constitution; incompatible with the high character of our government, and repugnant to every dictate of sound policy. Nor can these views be interpreted to the disparagement of Pennsylvania. Are they not consistent with the eternal and immutable laws of truth and justice? Do they not accord with the established character of Pennsylvania? What is her character? Gentlemen have taken occasion to eulogize their respective states, with great justice and eloquence; and I can see no reason why I may not attempt, in my humble style, to tell the simple, honest truth of mine. Is she aspiring or ambitious? Does she assume more than becomes her as a member of this union? The honorable speaker has told you, and told you truly, that she is "unassuming." Is she not mild, and just, and humane, in her policy? Consult her institutions. Is she not republican? Yes, sir, she presents to you, in her sons, a phalanx of republicans, whose firmness and inflexible devotion to the true principles of liberty may challenge comparison with those of any of her sisters. Is she hostile to her sisters of the south? *Hostile, sir!* on the contrary, she entertains the warmest affection for them. She rejoices in their prosperity, and sympathizes with their adversity. When calamities overtake them, she feels, and she acts, as becomes her—as becomes a true and virtuous member of this political family. If proof were demanded, I need only refer you to her proceedings at this moment, in relation to a recent and dreadful calamity in the south, (the fire at Savannah). Sir, they are worthy of her; and I take pleasure in adding, that, in the district from which I have the honor to come, every township in the respectable county where I reside, has a committee now employed in procuring relief for the sufferers. Mr. Chairman, I mention not these things vauntingly—I would disdain to do so: it would be offensive to the generous spirits engaged in this laudable work. I notice them to show that Pennsylvania is *any thing but hostile*; that she possesses and cherishes the kindest feelings towards the south. Is she hostile to southern *politics*? Let the unostentatious annals of her political career furnish the answer. No, sir; it has been her pride to act in concert with the republicans of the southern states. Her sons have marched with them, shoulder to shoulder, in the various struggles for political rights and national honor; and, when some of her temporarily misguided sisters have been vexed at her undeviating course, they have peevishly exclaimed—*Pennsylvania is partial to Virginia; she is devoted to the*

interests of the south! Sir, those idle reproaches moved her not. She regarded them as the ebullitions of vexation and disappointment. Her object was the establishment of those great political principles in the administration of our government, which has made it the envy and the admiration of the world. In every national contest for principles or for safety, her aid has been unceasing, her support invariable; and, amid all the difficulties which the government has found from foreign foes, or wayward domestic factions, she has been uniformly known as "*faithful Pennsylvania.*"

Away, then, with every insinuation that Pennsylvania may or can be cajoled or influenced on this question, by the spirit which erst displayed itself at *Hartford*, or any other unhallowed spirit. Sir, any imputation of that sort, from any quarter whatever, is as groundless as it is illiberal; and she repels it with scorn. She acts from the noblest motive that can animate the human breast, and from a clear and thorough conviction that the adoption of the proposition before you is essential to the welfare, the honor, and the safety of this republic. The *unanimous voice* of her legislative councils on this subject, attest her deep sense of its importance; and I trust her representatives here will respond, with fidelity, to her wishes.

MR. FORREST, (OF PENN.)

EXTRACT.

Mr. Forrest, commonly called colonel Forrest, who delivered the speech a part of which follows, was a much esteemed and very gallant officer in the revolutionary war. He is now a member of the society of Friends, or Quakers. Mr. Speaker Clay, in his eloquent speech on this question, complimented the colonel in his powerful manner, on account of his services in war and his love of peace, calling upon him to interpose the weight and influence of his character to arrest the evils which he [Mr. Clay] believed would be suffered if Missouri was not admitted unrestricted. This short introduction seemed necessary to a full understanding of what colonel Forrest said, to those not acquainted with him.—*Ed. R.*

I will relieve the committee from further attention, after a very few remarks on observations that have been made by members opposed to the amendment. The member from Virginia, who is not now in his place, but who I have in my eye, when on the floor, dealt out denunciations of disunion, massacre, civil war, horror, and blood, exclaiming that, if the restriction should be carried, this would be the darkest day our country ever saw. Here I must differ with the member. No; the morning of the 26th day of December, 1776, let me tell the youth, whose father was a fellow soldier of mine, a revolutionary compatriot in the cause of liberty, was the darkest time our country ever saw. It was then Washington led his patriot band of freemen to the battle of Trenton, the forlorn hope of the independence of his country. It was then he commanded the rifle corps, under caps. Washington and Monro to drive in the Hessian pickets. Methinks I see the striplings skipping in obedience—The action became general, and Washington, at their head, pouring forth his patriotic exhortation, in words that will ever be remembered by me, and ought to be impressed on the minds of every friend to liberty: "That the darkest time of night was just before day;" which was soon verified by the surrender of the Hessians, an event that gave a preponderance to the invisible balance held by the hand of Him who weighs the fate of nations. It

was that event that laid the foundation of our country's independence, and to which we are indebted for our seats at this day, in this splendid hall, once more engaged in the cause of liberty. When Washington led on his little patriot band, to them he was as a modern Moses; he went before them as a pillar of smoke by day, and a column of fire by night; his sympathy in their distress and sufferings allayed their hunger and quenched their thirst. They followed him as the modern Israelites; the Israelites of the day, with their urim and thummim on their breasts, the insignia of their cause inscribed on escutcheons of brass, fixed on their bayonets and sword belts—liberty or death—united we stand, divided we fall—'tis for posterity we die. Posterity! what, posterity perpetuate slavery! How shall I express myself? Oh pour un manteau pour couvrir les faces de ceux qui sont les fils de mes compatriotes, who with me in battle fell, whose deaths I then regretted as premature and unfortunate, snatched, as I then thought, from a participation in the blessings of an happy independence, in the full enjoyment of every civil and religious liberty. But now I have occasion to rejoice; yes, rejoice overmuch, that they were not, like me, permitted to live to see posterity outgrow the remembrance of the patriotic virtues of their fathers, by an act for the extension of slavery.

It has been a very considerable source of pain to me, and an afflicting exercise of mind, to hear members on one side of the house, or those who are opposed to restriction, use such language against their fellow-members on the other side, as does not comport with their dignified standing on this floor.—Denunciation, sarcasm, and insinuation, serve to irritate and excite warmth with some, but with me they only produce sorrow, that the exemplary and conciliatory language of Abraham the elder, to Lot, the younger brother, *did not pervade our feelings*—“Let there be no strife between thee and me, between thy herdman and mine; are we not brethren?” I shall notice an allusion to me by a member when on the floor, who was pleased to characterize the extremes of my life, by portraying the previous part in all the habiliments and trappings of a soldier in uniform clothes and epaulets. The friend must have had but a very imperfect knowledge of the revolutionary armv. if he supposed that they were as neatly dressed and equipped as the officers of the present day. No; it was the inability of congress to furnish the means to either feed, pay, or clothe the army, that reduced them to starvation and to the necessity of cutting up their only blankets to make a coat and overalls; and as to rank it could not be distinguished, for the want of epaulets. I was in hopes the little service I rendered to my country would not have been sufficient to have brought me into notice at this day; it is a part of my life I wish to forget, being opposed to war, believing it to be unlawful in the sight of God. But, if the extension of slavery grows out of the question before the committee, I shall think the small share I have had in the revolution, was the blackest part of my life.

My plainness of dress and manners were also noticed and complimented, as belonging to the society of Friends, otherwise called *Quakers*. I trust I am a member of the church militant, and in spiritual unison with Friends, whose character is peace and good will to all men; and I am authorized to say, that I would cheerfully give up the territory to the inhabitants to free their fellow men, to avert what has been threatened, but which I cannot think

will ever be realized. However, I cannot do an evil that good may come out of it.

I now shall conclude, with expressions of respect for the members from Virginia and Kentucky, who were pleased to compliment the state, of which I am an humble representative, by ascribing its dignified standing in the union to the exemplary conduct of the people called *Quakers*. Would to God we were all *Quakers*; there would be less strife, more harmony and brotherly love among us; and, if we were to follow their precepts, and emulate their virtues, we should do as they do; they build all their churches without a lottery; they do not sell their pews to the highest bidder; but sit on benches, master and man; they maintain their own poor, and pay their tax assessed for the maintenance of the poor of the township they live in; they believe God to be a spirit, and worship in spirit and truth.

Quiroga, of Spain.

The more we know of this most extraordinary man, the more we wish to know of him. He is one of those rare characters which now and then spring up to afford examples for their fellow men. The following letters shew that he possesses a very strong and well cultivated mind, as well as a heart devoted to the cause of liberty.

Answer of the general commander in chief of the troops of the island of Leon, addressed to the bishop of Cadiz, in reply to his pastoral letter.

MR. LOUN—The first duty of men is to be just; to respect truth, and not darken it with sophisms, is the most august function of pastors whom the God of truth has appointed on earth in order to propagate it. The pastoral letter, which your excellency has deigned to address to the faithful of your diocese, does not not breathe this language. Whatever may have been your motives, our duty is to point out to your excellency the want of sound principles in the discourses of a pastor of souls, so respectable on account of his zeal and virtues. We shall not be tedious: truth is concise, its light shines of itself, and requires no ornaments to render it amiable. We shall here treat of one question only. Ought nations to be governed by absolute and arbitrary monarchs, without any other laws than those of caprice, or the passion of the moment? or ought they to be governed by kings who rule according to laws justly established by the people, and presented by a respectable body who may restrain the excesses so common to power?

The choice is not doubtful; perhaps the elevated station which your excellency holds in society will make your understanding incline to the system of servitude; but those principles do not belong to the reasonable part of Europe. Reason and experience reprobate absolute monarchs; the wicked wish for them because they oppress mankind; the ignorant, because they have no idea of public law. This truth is so evident that it appears useless to us to demonstrate it. The spirit of liberty, the abhorrence of injustice and oppression, are so natural to man, so deeply engraved on our hearts, that servility can only be the language of stupidity, or the most abominable hypocrisy. Spain understood these principles, and gave itself a government which foreign nations applauded. If any thing can be called lawful, it was without doubt, the political constitution of the Spanish monarchy. All the classes of the state swore to support it, the army swore to it, and the people hailed it with acclamations. If this code, so respectable, was torn up by ingratitude and perfidy, this is no reason

that it should be buried in oblivion, or that the loyal Spaniards who cherished it should be accused. To say a thing is bad because it is forbidden by an absolute prince is to deceive; to say that those who desire the happiness of their country are criminals, because they go against what are called the prerogatives of the monarch, is to deceive; to say that the military who rise to restore to the nation their salutary government are perjured, is to trample down all ideas of whatever is sacred in an oath, or in the object of it. Every citizen ought to swear to devote himself to the glory and happiness of his country. *There can be no tie to oblige him to perpetuate public evils towards a prince who is not the father of his subjects.* The king cannot be separated from the nation. When their interests are mutually opposed, the oath received by the former is not binding on the latter. The Roman soldiers took an oath to the consul, but had he attempted to enslave the country, the legions which would have disobeyed him could not have been perjured.

To reason otherwise is to confound things, and not understand the spirit of institutions. The Spanish military swore to observe and defend the Spanish constitution; they were perjured when they tacitly consented to the overthrow of the sanctuary of their laws. To call aloud for the rebuilding of it, to devote one's labor and blood to it, and invite the rest of the nation to follow so noble an example, is faithfully to discharge the duties which are imposed upon one by the interests, happiness and glory of the country. Who called them perjured? The spirit of oppression or the language of hypocrisy! From all this, my lord, it follows, that the soldiers of the army so justly called national, are not the enemies of order, nor of the laws and state; they are not men persecuted for their crimes, nor the factors of former rebellion, nor men thirsting for distinctions and honors.

The language of seduction they make use of is that of reason and knowledge; the religion they invoke is that of your excellency, that which they carry in their hearts, that which they received from their fathers; lastly, that which they do not wish, under any pretence, to innovate. The proclamations which have reached your excellency are only the candid expression of their sentiments. It is very easy to employ sophisms when reasons are wanting, and very common in those who write to commit faults in criticism and logic at the same time. We shall make no answer to the texts of scripture quoted by your excellency; they are entirely foreign to the object on which we are treating. There are kings of several and distinct classes, according to the constitution of states. The king of England has not as much power as the king of Prussia, and both reign equally. Whatever violence may be done to the sense of the holy books, there is not a single passage to be found authorizing the unlimited power of kings. Despotism is an outrage on the human species, and the God of justice cannot allow the violation of those laws which strike at the preservation of a good so worthy of his hands. We shall conclude with a slight reflection which appears applicable to circumstances; the language of peace, of moderation, of meekness, is that which Jesus Christ taught the pastors of souls. Political events are foreign to their holy profession, as the gospel itself shows in so many places. Its divine author never speaks of the government of the Cæsars. The violation of this maxim has caused great harm to the state, and more fatal evils still to the church. The greater part of the storms it has suffered, the

schisms and reforms which have divided it, and the philosophical writings which have given it such mortal blows in the last century, have no other origin than the spirit of persecution and intolerance which its ministers have manifested on so many occasions. This is an indisputable truth, confirmed by all histories, and which we would not point out to your excellency, if you had confined yourself to the spiritual administration of your flocks, and the exercise of those pacific virtues which have procured you such high respect in the eyes of afflicted and suffering humanity. QUIROGA.

Freyre's correspondence with Quiroga.

GEN. HEAD-QUARTERS,
Seville, January 15, 1820.

Sr. Don Anthony Quiroga:

The authority I am now exercising, my true affection towards the person of the king, my master, and my particular friendship towards you, sir, when I admired you as an officer in his majesty's army, prompt me to address you, to prevent ill, which, at the moment, may yet be none; when, after being inevitable, will be, of consequence, fatal to yourself. If one moment of political phrenzy could make you forget his majesty's and your own interests, I wish to facilitate you the means to restore to you the sovereign's favor, and that opinion you have lost with the nation. By the choice of those risen, of whom you are at the head, you are not ignorant, sir, of the means to make unsuccessful the valor and determination of the officers of an army. A forced march, leaving uncovered by advanced forces the passage of these, a sudden, well-timed panic, or your own retreat at some critical moment, will be sufficient to deliver them up to the king's arms, and put an end to weighty calamities. As respects to your fate, sir, I offer all my mediating interposition with his majesty, not only for your free pardon, but as well that, in the royal revenue or otherwise, you receive an appointment corresponding to your grade. I cannot doubt, sir, but you will return to yourself, and that, without hesitation, you will embrace my proposition. FREYRE.

Answer.

GEN. HEAD-QUARTERS,
St. Fernando, January 18th, 1820.

General:—You have doubtless forgotten, when writing me your insidious letter, that you were addressing the chief of the free Spaniards, and who, fifteen days since, had sworn to the universe, death or liberty.

I have read your letter: the stamp of weakness and malice, and a blot for yourself, it is with difficulty you will expunge: in every line I see deception, perfidy and weakness, and, finally, all the base qualities, the characteristic of your government and of its subjects. You have dared to indicate the means to sell those citizens who boldly confided to me their lives, their liberty, and that of the mother country. I am horror struck that such ideas are fostered by a Spaniard. The perfidiousness of the most ungrateful of men cannot have reception in the first free citizen of our countries, certainly a sufficient motive to abhor him. But, as you have taken up the pen to insult me, I will, in return, serve you; and, in the name of the fathers of the country and of good Spaniards, I solemnly forgive you; and, for myself, offer you all my influence, that, immediately when the government to which you are perjured are re-united, that your services may be recompensed; and for this favor I require only that you devote yourself to our country, and give up the

command of an army that 'tis only a Swiss would accept of. General, I salute you; be convinced of this truth, and know that my small army is confident that he who suffers for liberty is immortalized.

QUIROGA.

Law case—U. S. Bank.

On the 29th ult. page 399, we published a report of a decision by the mayor of Cincinnati, in the case of the bank of the U. S. *vs.* Whipple and Washburne. We have the following in the *Gazette* of that city as a correct account of the proceedings thereon.

"It was an action brought by the bank of the United States against Whipple and Washburne, as endorsers of a promissory note. In the course of the investigation several points were raised by the defendants' counsel which were reserved, and the case was regularly presented to the jury. The plaintiff's counsel declined to say any thing in the opening—the counsel for the defendants commenced his address to the jury by stating, that his defence was founded on the inability of the bank to deal in promissory notes; but it was restricted in its charter to bills of exchange, gold and silver bullion, &c. He was interrupted by a suggestion from the mayor, that the court could not be expected to charge the jury on so important a point, without a full investigation, and that the point had better be reserved. The counsel insisted upon his right to argue it to the jury, and proceeded. He was followed by the counsel for the bank; not a single authority was introduced on either side, and the only part of the charter that was read, was the ninth rule of the fundamental articles of the incorporation, which declares that "the said incorporation shall not, directly or indirectly, deal or trade in any thing except bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent and not redeemed in due time, or goods which shall be the proceeds of its lands. It shall not be at liberty to take more than at the rate of six per centum per annum for, or upon, its loans or discounts."

After the close of a very short argument, the mayor again suggested the propriety of reserving the point for further investigation, stating his incompetency to give an opinion, without further reflection, that would be satisfactory to himself. The counsel on both sides appeared to insist on the charge.—The mayor then turned to the jury and repeated to them the reluctance he felt in being compelled by his duty to charge them on a point of so much importance, with so little opportunity of forming an opinion; that what he should say to them would be the mere impressions of the moment, which upon more mature consideration he might probably be induced to alter. He then stated to them the general doctrine of incorporations, that they are the creatures of the law, and must act within their charters, &c. that the ninth fundamental rule of the bank which had been read, appeared to him, without further opportunity of reflection, to restrict it from dealing in promissory notes; that the words discounts, which was made use of, did not necessarily apply to promissory notes; that it was equally applicable to bills of exchange.

The jury returned a verdict for the defendants. It was expected a motion would be made for a new trial, which would have given an opportunity for a more mature investigation, but the counsel for the plaintiff thought proper to take a different course."

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Royal Society. In noticing Sir Joseph Banks' proposition to resign the presidency of this society, in our last paper, we neglected to mention that he died soon after—that is, on the 19th of June.

Woollen yarn. One pound of Merino wool, being spun upon a newly invented machine, has produced 95 hanks, of 530 yards each,—equal to *thirty miles* and 400 yards!

Liverpool. The number of vessels that entered the port of Liverpool during the year ending June 24, 1820, was 7,276, viz. from foreign ports, 4,317; coasters, 2,745; in ballast, 214; whole tonnage, 805,033. This tonnage is greater than that of any preceding year except 1819, when it was 867,318 tons.

British naval affairs. It appears by the latest naval publication, that the British, since the termination of the late war, have broken up or sold, nearly four hundred and fifty vessels of war, and that they have now building *ninety-seven sail*, for which nearly six millions of dollars are annually appropriated. Of these, three are to carry 120 guns, two 104, and one 106. There are, besides, seven of 84 guns, six of 74, five of 60, and *thirty-one* frigates of 46 guns each.

The queen and her husband. We have already said enough to give and preserve a pretty clear view of the proceedings on account of those "*illustrious persons*," as they are generally called, and shall say no more about either, except in very brief sketches of what is going on. How great a blessing is royalty, when the strife of a man and his yoke fellow, neither of whom are worth a moment's consideration or regard as individuals, should so much affect a mighty nation, and threaten to convulse it to its centre! It is quite certain that the ministry on one hand, and the mass of the population on the other, look up to the affairs of this man and woman with the greatest anxiety; and it seems half acknowledged that the army has been put upon the best possible footing, with an especial view to its adjustment! It is truly laughable to see the grave correspondence of Wellington and Castlereagh, on the part of the husband, and Brougham and Denman on the part of the wife, drawn out in all the formula of a conference between nations, and solemnly considering the indecent quarrel between two persons, whose conduct, on either side, might exclude both of them from any respectable company in the three kingdoms, if they were not *regal* or *noble*! An entire REGISTER would not contain the one half of the papers which we see on this momentous affair—yet we shall endeavor to give the great outlines with brevity, that a history of the business may be rendered familiar to all interested.

The queen, so far, has obtained great advantages over her enemies. A little while since, the ministers called her the "person who *had been* princess of Wales," "illustrious person," &c. (see page 123, &c.)—the name of queen was a sort of high treason, if mentioned by them. Now they "*majesty*" her enough. She had been tempted by a bribe, and then threatened if she came to England—yet she came, and has met every thing so firmly as to decompose her husband and his servants not a little—the terrible "green bag" does not affect her, though she suspects it to be filled with purchased, perjured statements against her. Mr. Hobhouse, speaking of her in the house of commons, said, that although she came into the kingdom so privately, he believed that the whole fleet would be ordered to attend

her out of it, if she insisted upon that as a condition!—but he declared that he did not believe her life would now be safe on the continent! She is said to live very very regularly; she breakfasts at nine, dines at two, and sups at ten, and retires to rest about the time the fashionable world sits down to dinner.

This lady was born in 1768, hence is in her *fifty second* year; somewhat too old, we should suppose, to be guilty of the offences ascribed to her. She was married in 1795 to the present king—in a few weeks, some say days, the prince separated himself from her, to pursue his old courses; in three months they had different establishments in the same house; and at the end of a year after marriage, they lived in separate houses. No fault was imputed to her in bringing these things about. Since then they have not had any personal intercourse. But the prince, for some reason, wishing to dissolve the matrimonial bond, encouraged the retailing of scandal about her, and in 1806 a committee of four lords was appointed to examine her conduct. This was called the “delicate investigation,”—she was charged with having been delivered of a child while in a state of separation from her husband, of which she was fully acquitted; though the lords, perhaps to try to please both sides, reported that she had indulged in “improper levities.” After this she was received at court—and Perceval, who had been her law adviser and written a book to shew the malignity with which she had been treated, became one of the *ministers*, and the book was suppressed. She certainly has been much abused, and we hope will humble her adversaries, though her conduct appears to have been somewhat rude—perhaps, to be called vulgar, in some respects.

Later—Liverpool papers of July 8.

Wheat, per quarter, 69s. 8d. The son of the late Mr. Grattan, who was a candidate for parliament at Dublin, has been defeated by a large majority in favor of Mr. Ellis; after which the windows of the friends of the latter were broken by mobs. The demand for cotton wool is on the increase, and the distresses of the poorer classes are said to be diminishing.

The queen. The papers are still filled with the affairs of this lady. The marquis of Lansdowne and lord Erskine have declined to serve on the committee to investigate the charges against her, and the earl of Hardwick and lord Ellenborough have been appointed in their stead. She had received *loyal* addresses from several cities and towns. She lately visited Guildhall, London—an immense crowd of ladies and gentlemen waited her coming. Her carriage was drawn by the populace, and she was received with every possible indication of respect. In all her proceedings there is an evident willingness to cultivate her popularity, and she now seems determined to push the king and his ministers to the utmost—resolved “to vindicate her innocence.” It is intimated that her legal advisers will also be possessed of a “green bag,” to contain a small account of the acts of her husband.

In the house of lords, July 3, the earl of Harrowby presented the report of the committee appointed to inquire into the charges against her majesty, which was as follows:—“That the committee have examined, with all the attention due to so important a subject, the various documents laid before them, and they find that those documents contain allegations, supported by the concurrent testimony of persons in various situations of life, residing in various parts of Europe, deeply affecting the honor of the Queen, and charging her majesty with an

adulterous intercourse with a foreigner in her majesty's service—and attributing to her majesty a continued series of conduct highly unbecoming her majesty's situation and character, and of the most licentious description. The committee have so deeply felt that the character and honor of the crown, as well as the moral feeling of the country, are involved, that they are of opinion, that it is indispensable that this matter should become the subject of a solemn inquiry, the necessity of which they most deeply deplore.”

Earl Gray ably reprobated the manner and matter of the report, saying also that it was premature, and he seemed to make the ministers feel rather uneasy. Lords Darnley and Holland proposed a delay of the coronation until the queen's affairs were settled. On the 6th of July, the queen, by petition, stated, that she was prepared at any moment to defend herself against the “extraordinary report,” so far as she could understand it. The lords refused to call in her counsel. After which, lord Liverpool delivered a long speech and brought in a long bill, which, in its preamble, states, that whereas the queen, at Milan, had committed adultery with a certain Bartolomeo Pergami, “a foreigner of low station” in her service—that she had held “a most unbecoming and disgusting intimacy” with him—that she had obtained “orders of knighthood and titles of honor” for him, &c. &c.; that, therefore, after the passing of this act, the said “Caroline Amelia Elizabeth” shall be deprived of the title of queen and all else belonging to that station, and her marriage with his majesty, be from “henceforth wholly dissolved.” After the bill was read a first time, a copy of it was ordered to be given to the queen. And so the matter stood at our latest London dates. The house of commons appears to wait the proceedings of the lords.

FRANCE.

The editor of the *National Advocate*, a long time one of our consuls in Barbary, expresses his surprise that France has just discovered that she is indebted to the regency of Algiers more than a million of dollars. This claim was set up more than 25 years ago, and always laughed at until now. Mr. Noah observes that the Algerines are fitting out their squadron, and ventures a suspicion that France may be about to subsidize the pirates as England used to do.

Marshal Grouchy and gen. Clausel have arrived in France.

The navy. When the budget of expenses for the current year was under discussion in the chamber of deputies, a member proposed the abandonment of all naval preparations—that ever since the reign of Louis 14th, the navy had experienced nothing but a series of disasters—that during the war with England, from 1792 to 1801, they lost 47 ships of the line, 132 frigates and 161 sloops—that, to avoid such losses thereafter, the ships had been suffered to rot in the ports, &c. It is not said what success attended the proposition, but we presume it was not carried.

Tonnage duty on French vessels. The law passed at the late session of congress appears to have made no little stir in France. Many things were spoken of to retaliate it—to lay a duty of 100 francs per ton on American vessels, to exclude the importation of American cotton, &c.; but it is believed that no retaliatory measure will be adopted. France has long been respectfully solicited to give our vessels in her ports the same liberality which we extended to her's, visiting those of the United States; and cannot possibly find fault with us for acting towards her as she has acted towards us. We are

willing to admit French vessels upon the same terms that she will admit our's—and more than this no one can require of us.

The following account of the proceedings in the *chamber of deputies* is extracted from the "Constitutionnelle" of June 24:

Mr. Casimir Perier—In addressing you now, gentlemen, my intention is not for the present to support or oppose the proposals for the budget of the navy, but merely to awaken the attention of the chamber and of the government to an event which is intimately connected with the question now under consideration—[Profound silence]. An important decision of the government of the United States has just been made known. Should this decision, which I consider as authentic, be confirmed, it doubtless will have a most serious influence on our commercial relations, and will prove highly prejudicial to the interests of the merchants and shippers of our sea-port towns. It appears certain that the American government has laid a tonnage duty of \$18 on French vessels entering its ports. This duty amounts to 100 francs per ton. Such a duty, gentlemen, is equivalent to a real prohibition; it is not only destructive of all future means of commercial intercourse with the United States, but, also, it exposes to inevitable ruin the owners of shipments commenced, made, or on their way to the United States. The losses which may result from this measure ought to be attributed to those who have not made all their exertions to avert a storm which was necessarily to burst upon us, owing to the want of foresight that presided in the establishment of our relations with the several maritime trading powers, and to those who have not deigned to imitate the example of England, who has just adopted the system of reciprocity in most of her relations with the United States. The Americans have long since remonstrated against the great disparity of our custom-house system towards them, and against the charges of every description to which their vessels are subjected in our ports. It is asserted that the American government, to prove its desire of preserving profitable and amicable relations with France, has made the most conciliatory proposals, and endeavored to establish reciprocal conditions for the commerce and navigation of both nations; representing that it was impossible that a free and enlightened government should submit any longer to see its interests suffer by a series of obnoxious duties, which it had the prudence and good sense not to lay on French vessels. It appears that these pacific negotiations have not led to any result, and that the Americans, tired to see no satisfactory answer made to their claims, have adopted the painful resolution which I have communicated. My intention, gentlemen, is not to attempt to frighten you; but I must say, that should not the government think fit to apply a suitable remedy to such a state of things, it might result in serious evils and difficult to repair. It is, however, but justice to say, that if, in this circumstance, some reproaches may be attached to the French administration, the responsibility which may result from its false measures ought to weigh also on a number of respectable persons who have been consulted on this subject, and who, in expressing to government their opinions, have not felt willing to be impressed with the idea, that if a few unenlightened merchants wish for a monopoly, the general interest of trade requires liberty—and especially that government and nations demand now, (and will still more insist upon it in future), that the first condition of the mutual exchange of commodities between them be

founded on the equality and reciprocity of the arrangements they may think fit to adopt—and in order to prove how much reason and sound ideas continue to prevail over the prejudices which, till now, have governed the commercial world, I will mention the motion made some time since in parliament, by the chief of one of the first houses in England. Mr. Baring, respecting the so much boasted prohibitory system of that country.

The minister of the navy was telling us just now, that, in order to be strong, we ought to have a navy. Yes, no doubt we ought to be strong, but we ought also to be just; and we should feel a persuasion that, in the negotiation alluded to, government will not lose sight of this maxim, and will attempt every means compatible with our political rank, of re-establishing our commercial relations with a people, which so many recollections and interests make it a duty for us to cement more than ever.—(Murmurs of approbation on the left.)

The minister of foreign relations—I will not attempt here to establish a discussion on the principles and on the facts just now stated. This question would be so important, that before acting upon it, more certain and positive documents, than those hitherto obtained, should be required. I will not even venture a positive opinion on the question now raised, and will merely state, that some time since negotiations had been commenced between the Americans and France; my predecessor has caused them to be communicated to the French chamber of commerce. The council of manufactures and commerce has been assembled, but its deliberations have given no additional facilities for the progress of these negotiations. Government, anxious to leave nothing untried, has consulted all the chambers of commerce in France; an answer from all of them has not yet been received; but the opinions of those which have reached government are different. However it may be, such a question is not of a nature to be discussed in this house, and no person has a right to say that, in this occurrence, such or such a measure ought to be pursued.

Mr. de Vitele, in opposition to Mr. Casimir Perier, said, that the chamber had no right to scrutinize or to blame any act or relation of government with foreign governments, and although there might be something true in the report, he could not believe that the American government had taken so hasty a step, but contended that should this be the fact, the French government ought to pursue a retaliatory system, the result of which would show which of the two nations would be most affected by a cessation of intercourse.

Mr. Casimir Perier rose, and after a few remarks in reply to the minister of foreign affairs, said that he had not, as was intimated, condemned government in an absolute manner, since he had declared that the responsibility of the evils which existed in the present state of the relations between France and the United States, ought to weigh, in a great measure, on those persons who had been consulted; he said this subject was not foreign to the chamber, and that his observations were founded on his duty and his constitutional rights.

The minister of foreign affairs contended that the chamber had no right to discuss or encroach on the views of government; the right of making treaties belonging, by the constitution, to the king alone. [And the house adjourned.]

Our readers will recollect the law which is viewed as unfriendly to France, passed both houses of congress nearly unanimously—on a simple explanation from the chairman of the committee of

commerce. The same terms were offered to her which had been accepted by Russia, the Netherlands and the Hanseatic cities, in vain. She refused to reciprocate our liberality, and the measure appeared indispensable to a just consideration of what we owed to our own shipping interest. The bill contains a provision that when France shall admit our vessels on liberal terms, our restrictions on her commerce shall cease. On this subject the *National Intelligencer*, of the 12th inst., has some remarks, and publishes a letter from Mr. Gallatin, as follows:

"The most interesting feature, to us, of the late news from Europe, is the excitement produced in France by the passage of an act imposing new tonnage duties on French vessels. From the friendly feeling of this country to France, that act was passed reluctantly, and will be cheerfully suspended, according to the provision it contains authorizing that course, when the government of France shall think fit to reciprocate with us the liberality of our commercial regulations. The measure seems to have produced there as much sensation as if it had been unexpected. But what else could they have looked for? Our minister to that country had been long enough entreating them to listen to reason, and long enough put off by evasive answers. The subjoined extract of a letter from him to the secretary of state, communicated to congress at the last session, shows the ground on which our law was passed, and it is presumed, in the end, France will not disdain to be as wise as England, and, by a relaxation of her system, avail herself of the opportunity now offered to her of placing herself in our ports on the footing of the most favored nations.

Extract of a letter from Mr. Gallatin to the secretary of state, dated Paris, January 20, 1820.

"I have now the honor to enclose the copy of Mr. Pasquier's long promised answer on the subject of our commercial relations, which was not received till after I had closed my last despatch to you. I am confirmed in the opinion, that nothing will be done here until we shall have done justice to ourselves by our own measures. The ministry is, I think, well disposed; but they will not act in opposition to the remonstrances of the shipping interest, and of the chambers of commerce, which have been consulted. That of Paris is averse to our proposals. Indeed, Mr. Pasquier informed me that of Bordeaux alone had given an opinion favorable to them."

NETHERLANDS.

A grand *Te Deum* was chaunted at Antwerp on the 18th June, in celebration of the battle of Waterloo.

SPAIN.

A letter from Spain, dated June 9, says "the friends of liberty are highly gratified by the result of the election of members of the cortes. Out of 200, it is supposed there are not more than 20 Serviles." This is excellent.

The members of the cortes as they arrive, meet at their boarding houses and form clubs (*caucuses*). One at which about 40 were present, debated a resolution, to be submitted to the cortes, declaring that the sixty nine deputies of the old cortes, who requested of the king to abolish the constitution, should be sentenced to death, but that the king should also be supplicated to pardon them. One of the members, however, named ROMERO PUEZTO (eighty years old), resisted so powerfully that part of the resolution which requires a supplication to the king for the remission of the doom, that all the rest relinquished it.

It is said, that the cortes will not assemble at Madrid, but at *Atala de Herases*—a retired village, in

the vicinity, where, it is added, they can deliberate uninterrupted by the bad passions which too often prevail in large cities.

It was settled that the cortes were to assemble on the 8th of July. The members elected were almost uniformly friendly to the constitution and new order of things, and the only fears that prevailed with the considerate people, were, that they would not be able to controul the enthusiasm of the nation, and settle upon a calm and rational government.

The birth day of the king of Spain has recently been celebrated throughout all Spain, with great pomp and enthusiasm; particularly in the cities of Cadiz and Barcelona.

There is a report that generals Freyre, Valdez and Campana, and the bishop of Saragossa and several friars, were shot, on the demand of Quiroga and his troops.

Letter from Cadiz of the 30th May, mention a fact calculated to convey a very strong impression of the patriotic feeling that exists among the inhabitants of that city. The merchants of Cadiz have agreed to advance a loan of four million of reals for the use of the marine, and three millions for the civil service, without interest. They have also determined on subscribing as far as their means will permit, to the loan of 40 millions of reals now raising in Spain at an interest of ten per cent, on terms equally disinterested, because they think that the receiving so exorbitant a rate of interest, is taking an unfair advantage of the necessities of the kingdom, a principle they are desirous by their own example pointedly to discountenance.

Free masons lodges are extending through Spain. A little while since, to be suspected of being a mason was punished as a crime most horrible!

GERMANY.

Accounts from Hanover repeat with more confidence, a report which was recently mentioned, that the sovereign of England intended to proceed thither before the end of the year, for the purpose of being crowned king of Hanover. It is added, that the palace of Herrenhausen has been rapidly fitted up for his majesty's reception.

At Dresden, the assassin of the painter Kugeleber, having been detected by a Jew, the latter refused the reward of a thousand crowns, because the Mosiac law forbids taking the price of blood.

Germanic federation. A Frankfort paper of June 12, says—"At length the great subject which has arrested the attention of Europe for so long a time, is brought to a close. The definitive act for new organization of the Germanic confederation, was communicated to the *Germanic diet*, on the 8th of this month; and has, with all the protocols and papers accompanying it, been inserted in the registers of that assembly, and has become the supreme law of Germany.

This important act of the congress of Vienna, is entitled "*Definitive act of the ministerial conferences held to complete and consolidate the organization of the Germanic confederation.*" It contains 65 articles, is drawn up with great display of talent, and is in unison with the most liberal principles of the age. The preamble states, "The sovereign princes and free cities of Germany, considering the obligations they imposed upon themselves at the formation of the Germanic league, to exalt and perfect their union, by giving the necessary development to the fundamental dispositions of the federal act: considering also, that to render indissoluble the strong ties which unite all the German states, in a system of peace and mutual good will, they ought not to

delay to fulfil, by a common deliberation, the obligations thus imposed on them, and which the general necessity required: They have, &c. &c. [*Here follows the name of the plenipotentiaries.*]

The 1st article provides that the Germanic confederation is a federal union of the sovereign princes and free cities of Germany: an union founded on the public law of Europe; and is formed for the maintenance of the independence and inviolability of the states composing it; as also of the interior and exterior safety of Germany generally.

In communicating the above act to his court, the Prussian minister remarked, that it was a proof the most satisfactory of the unity and mutual confidence which animated all the ministers of the confederation; who were all penetrated with gratitude for the zeal which animated the emperor of Austria to demonstrate anew his good wishes for Germany, and for the interest which his majesty of Prussia took in promoting every thing which was necessary to establish more strongly the confederacy, and the happiness of the Germanic states.

Vienna, June 8. The report presented to the emperor on the operations of the sinking fund, created January 22, 1817, has just been published. The productive capital of the sinking fund for the new public debt bearing interest, amounted, on the 28th of February, 1820, to 94,224,967 florins, and has been augmented since its establishment 44,893,400 florins. The annual receipt of the fund at the same date, amounted to 7,477,303 florins, money of convention. By means of these receipts there has been withdrawn from circulation since the origin of the establishment, 87,998,681 florins of obligations, bearing interest, in money of convention, according to their current value. The whole sum of obligations of the old debt, withdrawn from circulation since April 14, 1818, amounts to 16,801,955 florins.

SWEDEN.

The prohibition against the admission of coffee into Sweden, has been repealed.

DENMARK.

A letter from Copenhagen, dated June 20, announces the failure of the well known and long established banking house of Ryberg and Co. an event which had produced a great sensation on the exchange of that city.

RUSSIA.

Four steam boats now pass every day between Petersburg and Cronstadt. The emperor reviewed in the vicinity of his capital, on the 17th of May, forty thousand men.

TURKEY.

We have a report that the forces which marched against Ali, pacha of Janina, had joined him, and that he was marching upon Constantinople at the head of 80,000 men. A destructive war is expected, and some suppose that Russia is at the bottom of it—that, like France in regard to Switzerland, and Great Britain in respect to the Ionian islands and mighty regions in Asia, she may become the protector of Turkey, as she has "protected" Poland.

BARBARY POWERS.

Mr. Shaler, American consul at Algiers, has addressed the following circular to Mr. Appleton, consul general of the U. S. at Leghorn:

Algiers, March 14. I have the honor to inform you, that an Algerine squadron, composed of three large corvettes, two brigs, a polacre and a schr. is ready for a cruise and will soon sail. I have inquired of the government of Algiers respecting the object of this armament, and have represented in the most friendly manner, that, under present cir-

cumstances, our safety and interest required, that Algerine ships should not be permitted to board, or, in any manner, to interrupt the merchant vessels of our nation. The dey replied that these vessels were not destined against any christian power, but that, in every case, the most strict orders should be given, that the vessels of his friends, the Americans, should suffer no injury. Preparations are making, at the same time, by the land forces, from which it is presumed, that these forces are directed against Tunis. Whatever may be the true object of these preparations, I think it will be useful to make known to this government that we are prepared in every event.

P. 8. May 12.—It is said the Algerine squadron will sail to-morrow.

(Signed)

WM. SHALER.

CHRONICLE.

The U. S. schooner *Lynx*, has recently recaptured a Spanish vessel from one of Lafitte's piratical cruizers—5 of his gang who were on board the prize, are kept in jail at New-Orleans, to be tried as pirates. There is a bad business still going on in the Gulf; and several suspicious vessels have been in the vicinity of Dauphin Island, &c.

Counterfeits on the bank of Pennsylvania, at Philadelphia, of the denomination of 100 dollars, are in circulation to the westward. Some of them have been received in a remittance from Nashville.

A great flood in the Missouri has inundated the bottom lands, and destroyed the gardens planted by the troops at the Council Bluffs.

Died, on the 10th ult. at his seat near Fort Jackson, Alabama, *William W. Bibb*, esq. governor of that state.

—on the 18th of the same, in Virginia, colonel *George Hancock*, an officer of the revolutionary army, much respected.

—at Chelmsford, Massachusetts, *Mr. Joseph Spalding*, aged 64—one of the heroes of Bunker Hill. He fired the first gun, and was supposed to be the man who killed Major Pitcairn, having frequently declared he took deliberate aim at him.

—on the 7th ult. in Somerset county, Md. in the 64th year of his age, col. *George Handy*, a soldier of the revolution, and a captain in Lee's legion in the southern campaign.

—at New-York, recently, in the 41st year of his age, *Mr. John R. Leacraft*, formerly a sailing-master in the United States navy, and one of those who volunteered their services, under the command of the gallant and much lamented Decatur, to burn the frigate Philadelphia, in the harbor of Tripoli, on the 16th of Feb. 1804.

—at Council Bluffs, Missouri territory, on the 27th ult. lieutenant. *Samuel Keeler*, of the 6th regiment U. S. Inf. assistant commissary of supplies, in the 28th year of his age.

—in England, May 31, *Mr. Bradley*, the Yorkshire giant—when dead he measured nine feet in length, and three feet over the shoulders.

Ten or twelve heavy ships, engaged in whaling "round Cape Horn," belong to the little port of *Sag Harbor*, Long-Island, N. Y. These voyages are healthy and profitable. Not one man was lost from any of the ships belonging to that place, during the past season. The business is also, a noble nursery of seamen—fit to carry the "striped bunting" to the antipodes.

The steam-boat Chancellor Livingston, accomplished the distance of 330 miles on the waters of the Hudson, in 43 hours, four of which were occu-

pied in stoppages—the wind was a-head during all the time.

Baltimore. Interments for the week ending on Monday last, 58; of which 9 were colored. 23 died of cholera, 6 of consumption; only two of fevers, remittent and intermittent. 25 were under one year; 15 from 1 to 21; 8 above 21. In the preceding week there was not one death, in a population of 60,000, by all the families of fever, and now only two—and this is the month of August! We are of opinion that the like was never known before.

Philadelphia. Interments for the week ending August 12 40 adults, 73 children; total 115. Of these, twenty seven died of various kinds of fever—11 bilious, 3 malignant. The alarm on account of the latter appears to have been very great. On Tuesday last, the board of health, having consulted with some of the most eminent of the medical profession, made a report to the public. They stated that, in the small district where the malignant fever first appeared, on the 24th ult. there had been eleven cases of a decided character, and three of a doubtful nature: of the first, nine died and two removed—of the last, one died and two recovered. This district of the city was immediately emptied of its inhabitants, and the streets fenced up, &c. of course no new case had appeared in it. But, on the 9th inst. the attention of the board was directed to some suspicious cases in another quarter of the city, half a mile distant from the former—18 such cases were known to the board to have appeared in this district in the last eight days, of various grades, "from the type of the common remittent to the highest grade of malignant fever." On which the board went instantly to work to depopulate this seat of disease, erect fences across the streets leading to it, and remove the shipping from the wharves; and express a hope that the progress of the fatal malady may be arrested. Since when, three other cases were reported as existing at the time, though unknown to the board. We have not heard any thing from the board since the 15th inst. but it is generally said that the alarm was increasing.

Just as our paper was going to press, we saw the report of new cases of malignant fever made to the board of health on the 16th inst. They amount to eleven—"all originating in the infected district."

Robert Lee, of New-Jersey. In the last, or 17th vol. pages 192 and 282, we inserted most honorable accounts of the proceedings of our friend Robt. Lee, for the manner in which he allowed lands sold for taxes, and by him purchased, to be redeemed. He has since taken to himself a wife, and we heartily wish him joy, for we learn from a New-York paper, that "Mr. Lee, at the time of his marriage, was in possession of titles for estates, forfeited for taxes, valued at more than \$20,000. Before his marriage, he required an express stipulation from his intended wife, that she should always permit the redemption of those estates, for the taxes, charges, and interest thereupon, whenever the former owners should be inclined so to redeem them."

A New-York paper, of Aug. 6, says—"The corps of Cadets, from West Point, about 250 in number, arrived at Staten Island on Saturday, and have encamped on the heights near the vice-president's seat. We understand they will parade in this city to-day, march through the principal streets, and perform various evolutions; after which they will return to their encampment and remain several days, before they take up the line of march for Philadelphia."

The cadets, after gratifying the people of New-York, have arrived at Philadelphia, to shew

to the people of that city the perfection of their discipline, &c.

The navy. It appears by a statement in the New-York Columbian, that "our navy, including vessels building and authorized to be built, will consist of 14 ships of the line, 23 frigates, 13 ships of 14 to 32 guns, 14 brigs and 14 schooners, besides gun-boats, barges and galleys. The expense of a ship of the line, in service, is, for one year, 202,110 dollars; and of a frigate, 134,210 dollars, exclusive of repairs."

"Pen cutter to congress." A silly fellow has been puffing himself off to the eastward as "pen cutter to congress," telling the people that he furnished the national legislature with pens to the amount of 1600 dollars per annum. Messrs. Davis and Force, of Washington, who furnish all the stationary for congress, say that this person never furnished a pen to congress, and that his whole charge for cutting pens for *tax*, for a year past, amounted only to 40 dollars 50 cents.

The sea-serpent. Many persons assert that a sea-serpent is again off the eastern coast of the United States. Certain persons, whose names are given, declare that they were within 30 yards of the animal. They counted 23 bunches on his back; his head was like that of a common snake, and held about two feet out of the water. Others declare that they have fairly viewed it in Boston bay. It is hard to get over so much testimony—yet people are slow to believe in the existence of this animal.

Ancients. The four surviving sages who signed the declaration of independence, are said to aged as follows: William Floyd, of N. Y. 87; John Adams, of Mass. 85; Charles Carroll, of Md. 82; Thomas Jefferson, of Va. 73.

And recently, at Plymouth, Mass. 208 old soldiers met to substantiate their claims for pensions—several of them were more than 90 years old—the youngest was 56.

The anniversary of independence was celebrated in a new and solemn style at Castleton, Vt. It appears that capt. *Nathan Williams*, on the 6th day of July, 1777, while repelling the attack of an advanced party of British and Indians, under gen. Frazer, at Fort Warner, in the eastern part of Castleton, was killed, scalped and left upon the ground. His body was subsequently buried in an Indian blanket, about 18 inches below the surface. Some of his surviving companions in arms sought out his remains, and took occasion to give them a public and honorable burial. In addition to the religious exercises, patriotic addresses were delivered by C. Langdon, esq. and Mr. A. L. Burnap.

Accommodation! It appears that water of the *Thames* river, Eng. is actually imported into New-York to please those who are in love with its compound! *De gustibus non disputandum.* "The old woman kissed her cow!"

American antiquities. On the Creek Indian lands, a couple of miles from the line that separates that nation from Gwinnett county, in Georgia, is a natural curiosity, as well as a convincing proof, that ere an European foot pressed on American soil, the aborigines of this country were not unacquainted with the art of warfare. The (so called) Stone Mountain, is a rock much in the shape of a sugar-loaf—it is upwards of 2000 feet in height, and about four miles in circumference at the bottom. One side of the rock projects forward seventy or eighty feet; the height from below is awful, almost terrific! On the other sides, you have a gradual ascent to about three-fourths of the way up, when you come to a level space fifty feet wide, that extends

entirely around the rock. On the outward side of this level are fortifications, except on that side that projects forward; where, indeed, none are necessary. The fortifications are six feet wide; and in places where the rocks have not been made use of as a source of amusement to visitors, in rolling them down the sides of this rugged rock, they are twelve feet high, and a mile and a half long. The native Indians can in no way account why and when those fortifications were made. It certainly is a stupendous memorial of Indian valor and industry. After passing this fortified place, and gaining the summit of this rock, you then are indeed well paid for the fatigue and danger of ascending so high. It is impossible to convey an idea of the grandeur of the sight you behold! Wrapt in wonder and in meditation, it is sometime ere your confused and hurried ideas can well comprehend the sublimity of the scene. I will only remark, that the Alleghany and Cumberland, or Great Laurel Ridge Mountains, the latter two hundred and twenty miles distant, are distinctly seen from this "mother of rocks."

[Georgia paper.]

Savannah. The committee appointed to distribute the funds collected for the relief of the sufferers by the dreadful fire in January last, have made a report of their proceedings: The claims made for losses, (leaving out the rich sufferers), amounted to \$776,000. The amount received for their relief was \$99,451 75; of which about 8,000 dollars was collected in Savannah. This appears to have been equitably distributed among the poor who suffered, without respect to color.

The amounts were received, as follows, classing them as coming from states:

Georgia,	\$35,706 95
South Carolina,	20,637 27
Virginia,	1,136 56
Maryland,	5,232 46
District of Columbia,	1,686 11
Pennsylvania,	19,382 25
New-York,	*1,198 93
Massachusetts,	12,195 85
District of Maine,	733 28
New-Orleans,	1,209 80
Tennessee	338 29

\$99,451 75

New-Hampshire state prison. The income of this penitentiary, for the last year, has been derived from the usual sources, the labor of convicts in its various departments, the sale of articles manufactured by them, and the fees of admittance to visitors—the whole amounts to \$4660 81 cents. The expenditures during the same period, amount to \$4203 53 cents—leaving a balance gained to the institution during the last year of \$457.28. The amount of property on hand has also increased \$1811.41; and the balance of debts due, \$743.14—making the whole income \$2553.55; from which deducting the amount received from the treasury, leaves a balance further gained of \$454.55. In the amount of debts due is included \$3637.03, charged to the state house committee, for labor of the convicts in preparing stone, &c. for that building; which, if paid over to the state-prison, would reduce the sum required from the treasury to meet the estimated expenses of the present year to \$963.

*It will be recollected that the amount collected in the city of New-York (\$10,238) was returned.

North-Carolina. The naval survey of the coast of this state has been completed. We learn that many important errors have been corrected.

Ohio. The treasurer has given notice that he will receive nothing but "*specie and substantial specie funds*," on account of the state. This is absolutely necessary, for the paper of many of the banks are 50 per cent. below money, even at home. The people, in several places, have resolved that they will not any longer give a circulation to such miserable trash.

Missouri. The constitution was adopted by the convention on the 17th ult. The most interesting provisions have already been noticed, and we shall hereafter publish the instrument entire. A place on the Missouri river, near the mouth of the Osage, is fixed upon as the permanent seat of government; at present it is to be at St. Louis. It is proposed to call the new city *Missouriopolis*.

Extract of a letter from the Council Bluffs, dated the 6th of March, 1820.

"The agent, major O'Fallon, captain Riley, and a subaltern's command of the rifle regiment, have been on a visit to the Grand Panis, Panis Loups, and Panis Republican.

The principal chief of the Grand Panis, called Long Hair, was not disposed to give a civil reception to the agent, but changed his conduct on meeting a decisive tone; and eventually gave him a hospitable and apparently friendly reception.

"The Panis Loups did much better. They came out two miles, with a body of five hundred horse, conducted the agent and party into their village; and treated them with all honor and distinction imaginable.

"The Panis Republican, who plundered the scientific party last fall, also met the agent with every demonstration of friendship, and expressed the greatest contrition for this outrage.

"This nation, the Panis, have lately had an engagement, on the confines of Mexico, with the Tetas and Spaniards, and lost ninety-three warriors, killed or wounded."

General Post-Office, August 3, 1820. It having been represented to this office that the newspaper mail is frequently carried outside, instead of inside of stages, to the great injury of the newspapers contained therein: Notice is hereby given, to all whom it may concern, that, on information being given to this office of such a practice being pursued by any contractor for carrying the mail, or by the persons employed by him, the penalty annexed to such a violation of the rules of this office will be rigidly enforced in every case. And, for the information of the public, and to put the contractors on their guard, the following article, contained in every contract made with this department, is now published:

"9. That, when the said mail goes by a stage-waggon, it shall invariably be carried within the body of a comfortable stage, suitable for the accommodation of at least seven travellers; and when it is carried on horseback, it shall be covered securely with an oil cloth or bear skin, against rain or snow, under a penalty of _____ dollars for each time the mail is wet, without such covering; and that when it stops at night, it shall be put in a secure place, and there be locked up. A penalty of one dollar a mile shall be incurred for every mile in which the mail, when conveyed by stage, shall be carried out of the body of the carriage above described."

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞ We have now inserted all that we design to give place to, of the speeches in congress, on the Missouri question. It has cost much time and attention to make the selection which we have—the purpose was, to avoid a repetition of the same arguments and present a *full view* of the subject, on both sides of the question. How far we have succeeded in this, our readers will determine. Considering Messrs. Clay or Lowndes as the most powerful of those opposed to restriction, we wished to have published the speech of one of them, but that of neither of those gentlemen has yet been given to the public.

☞ We are sorry to postpone the eloquent memorial of the merchants, agriculturalists, and others of the town of Fredericksburg, Va. against the tariff, said to be from the pen of the celebrated John Taylor, of Caroline—the powerful remonstrance of gen. Jackson and others against the late proceedings in Tennessee, received since the article below was prepared for the press—the papers belonging to a termination of the claims of Mr. Menéndez against the government of Spain, which, on account of his sufferings, have excited so much feeling in the United States—and sundry other matters, original and selected: But, relieved of the Missouri debate, we shall, for some time to come, be enabled to indulge our wishes and present a more agreeable variety.

THE CLOSE OF THE EDITORIAL YEAR. This number concludes the 18th volume or 9th year of the REGISTER. The title page and index for it are printing, and will be forwarded as usual. It is now that we expect to receive, not only arrearages due, but also the payment of \$5 in advance for the coming year, according to the terms entered into between the editor and his numerous subscribers. He regrets the necessity of repeating what he said at the close of the last year, as to the deficiencies of remittances, for the times are still "hard," and the circulating medium of our country is, in some parts of it, yet in a deranged state: but certainly, our condition is growing better and less burthensome, by an increased economy, and a refusal to contract debts without calculating how they are to be paid. And, while the editor is resolved to do all that zeal and industry can accomplish still further to extend the circulation of this paper, and will endeavor to shew his gratitude by his *works* for favors received—he frankly recommends it to every gentleman believing that he cannot afford to receive it, or who is not able to pay for it promptly, as the payments become due, to retire from it. The presumption is, that there cannot be more than a few dozen persons so situated—and he does not love money well enough either to wheedle or wrest it from those who have none to spare from their own immediate and more important wants. The REGISTER is not altogether an article of luxury—yet it is of that class of things which should either be paid for or dispensed with—to save time and trouble to all parties concerned.

But the prompt attention of so many of his subscribers has placed this work upon the only ground on which any one can be really useful and prosperous. Its editor is very far, indeed, from being rich,—

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hardly in that state of business which is called "easy," but so far *independent* as to be enabled to act purely from the dictates of his own conscience, without regard to parties or individuals—and hence it is, that he sometimes rather displeases both sides to a question; or, perhaps, more correctly speaking, does not always please either *party* to one. He has long since renounced parties, and attempted to pursue fundamental principles only.

While, with great freedom, the editor has expressed his own opinions on some of the leading topics of the day, he has been careful not to offend by rudeness, or impeach men's motives who had the same right to determine on things that he himself exercised; and the selected articles on those subjects, have been chosen with the sole view of giving the best intelligence on the matters at issue. As, for instance, a speech in congress on one side of a question, has never been inserted without its opposing argument on the other, if to be obtained; and we believe that the editor of a journal refuses justice to his readers, when he pursues a different course.

The same liberal spirit has directed us in another concern, which required a more *severe* trial, and touched us in what is quaintly called the "tender place:" the *extra gratuitous supplements published during the editorial year just now concluded, cost us no less a sum than ONE THOUSAND AND TWENTY-EIGHT DOLLARS!* This large sacrifice of profit was made to a pride to increase the value of the work, and in a belief, also, that it would not be made in vain. We have nothing more to add, than that the same course will be pursued so far as the means are afforded to justify the expenditure; and that no change will be made in the general manner or matter of the REGISTER.

The annual bills will be immediately forwarded as customary; and the friends of this work are reminded, that the notes of any specie-paying bank in the United States are received in payment, which may be forwarded by mail at the risk of the editor, and at his cost, too, for postage, if any think that he ought to pay it, that every account may be closed—and his time be "*legitimately*" appropriated to the desk in his library, instead of being occupied at that in the counting house.

FOREIGN NEWS. We have extracts from London papers of the 9th of July; and so it is, that though we must smile at the uproar created in England by the queen's affairs, we cannot avoid feeling a deep interest in their progress and issue. Whatever may be her faults, (and we do not expect to find those virtues among princes and princesses which are essential to character among *honest* folks,) she certainly, has been basely treated by her husband and his minions and ministers, from two or three weeks after the time of her marriage until the present day. It was not to be expected that such an accomplished debauchee as the present king was, could feel the obligations due to a state of matrimony—yet we might have looked for a little decency in his deportment, to a person selected for "reasons of state," to be a breeder of princes. But he has been totally regardless of those rules of con-

duct which all men acknowledge as necessary to the preservation of morals. His "Oteheitan dances" had rendered the sober affairs of husband and wife disgusting to him; and he wished to rid himself of even the semblance of restraint on his outrageous pursuits. Let the queen be ten thousand times worse than she is represented, if wrong can palliate wrong, she will be excused by all acquainted with her case, though she may not be justified. It is true, she was said to have had some amours before her marriage, but her conduct after marriage until her husband separated himself from her, is acknowledged to have been proper; then came the malicious tales of sir John Douglas and his wife, which, in their essential parts, were proved to be lies, and now she is charged with offences of *six years* standing, which never would have been urged against her if she had been content to forego the rights of a queen; but on the contrary, she might have received 50 or 100,000 pounds per annum, to be spent in any sort of excess that she pleased, but for her determination to meet her accusers and vindicate her fame.

The present charges against her are said to be founded on *seventy* depositions—Castlereagh could obtain seventy thousand, if it were needful; it is an old business of his to buy oaths, like potatoes, *by their size*. We see that the witnesses against her who have arrived, are of the meanest of the people; apparently the refuse of the streets of an Italian city, who are about the lowest order of mankind. And, it is strongly intimated that the person with whom she is said to have committed adultery, is not a *man*. This is probable enough; for the queen is an eccentric woman, and cast off as she has been, there is some excuse for her oddities.

The articles relating to her, as before observed, are interesting. The coronation which was to have taken place on the 1st of August, had been indefinitely postponed, to the *infinite* mortification of thousands and the great joy of others. It was no doubt feared that the performance of that ceremony on the king alone, might have produced an awful commotion—the people adhering to the sound common sense and law maxim, that the queen must be presumed innocent until she is proved to be guilty. She is evidently gaining ground; and, if she is a *true woman*, may shake the most corrupted government that the world ever knew to its very centre. Her cause must needs be the popular one—the *pimping* system practised against her should meet with the execration of the human race, whether she is harmless or otherwise; and she claims and should be supported in, an *open trial*, at which she can meet her accusers face to face. These are fundamental principles on which the welfare of society depends; and *John Bull*, silly as he is in many things, we think, will regard them with reverence. Her counsel is of the first order and apparently much devoted to her; and if she is treated according to the law as it respects private persons, will very much thwart the designs of her enemies, and bring to light many matters which the ministers will be exceedingly loath to exhibit, in respect to what is called the "Milan commission," &c.

It is also intimated that she may (though one of her counsel, Mr. Denman, at present disclaims the intention to do so), exhibit the conduct of her husband to lessen the force of the charges preferred against herself. Common justice, as well as the practice of the courts in such cases, will bear her out in this procedure. If she will appoint some trusty agents, well supplied with money, to seek out evidences among the miserable females who inhabit the poor

houses, work houses, jails and hospitals of the metropolis, she can produce witnesses enough of the adultery of her husband, to fill the chamber of the house of lords, and astonish the great man on the wool-sack with the display of a greater number of *haridans* than ever before were congregated.—Even at this late day, perhaps, five hundred such might be collected for as many guineas—to give positive testimony as to facts which they know to be true.

But it is disgusting affair, and we wish we were relieved of an apparent necessity to mention it.—Its character is dishonorable to our species—yet it may be right to present it as a portrait of royalty;—and if she shall succeed in humbling those who have so long put honor and justice to scorn, her history will merit a record on pillars of brass, for the use of posterity. Mr. Bennet said, in the house of commons, that "the discussion of her case would give a blow to the character of monarchy which it might rue to its latest existence." To which we say, *Amen!*

THE CENSUS. I do not believe that there is a more industrious gentleman, or more zealous officer in the service of the United States, than col. Beutalou, marshal for the district of Maryland; and hence it is I have concluded, that one of the most interesting and important purposes designed to be ascertained by the census now taking, will be defeated—the list of manufactures and persons employed therein. The returns will be so imperfect, that it would have been better if the subject of enquiry had been altogether omitted. This has been brought about by the mistaken economy of congress—the allowance to the deputy marshals, or persons employed to take the census, is totally inadequate to a full performance of the duties imposed by the act, or directed by the secretary of state, in pursuance of the authority invested in him. It is not to be expected that the deputies can "call and call again" until they meet with the heads of families;—in at least one case out of two they will receive their information of females, and what do they generally know of the state of the manufactory carried on by their husbands? If the queries are most patiently put to them, there is not one in a thousand that can answer them all, in some of their most essential points. We may get a tolerably correct account of our large manufacturing establishments, not more than a fourth part, probably, short of the truth; but of the lesser ones, and perhaps at least ten times more important as to their aggregates, we expect them to be short three-fourths of their real amount. It is better not have any than such imperfect returns.

These remarks are founded on things that I know. The person employed to take the census of the ward which I live in, is probably as competent and faithful as any one engaged in the business. He visited my house in my absence, and no doubt has taken down the population of my family correctly, but must have been just as ignorant as to its product, &c. in manufactures, as if he never had been there. I had even prepared a statement, in writing, to save him and my family trouble; but it happened that he did not get it. My little affairs are of no import in the great scale of things; but the case serves to shew what may be looked for. The facts so needful to a sound political economy will not be obtained: the law to ascertain them is defeated in itself, by its own parsimony. Men should always receive

*It is not singular, but seems to be a common one.

a sufficiency of compensation to give them an interest in the things that they do—without this, they are content to fulfil the letter of their obligations, and let the spirit go. The appropriation of a few thousand dollars more would have given us intelligence worth as many millions. Light and truth are not to be valued by dollars and cents.

Mrs. ALLSTON. In the present volume, page 311, we copied from a New-York paper, a horrid account of the fate of this lady, said to have been given by a pirate under sentence of death at New-Orleans. Accounts from that city now assure us, that no such confession was ever made there. Indeed, soon after the publication of the tale, we thought it untrue, from certain facts stated by a much esteemed friend, whose fortune it was to be a prisoner on board of admiral Warren's ship, [the St. Domingo, I believe,] during the late war. While on board, he frequently heard the officers speak of Mrs. Allston—how that the admiral had given up his cabin to her,—that she was exceedingly glad to find a woman on board the ship, a petty officer's wife, who was ordered to wait upon her,—that a female domestic who accompanied her was afraid to leave the pilot boat, and the officer who had charge of that boat was much joked with on account of it, &c. Not being particularly interested in the case, he made no special enquiries; but it certainly appears that the pilot boat was captured by the British, and that the lady was treated with great respect and sent away, after being some time on board the admiral's ship. This is all that he knows of the matter; but it is sufficient to destroy the story that the crew of the pilot boat, after being "two or three days at sea," rose upon the captain, &c. Any friend of the lady may have a reference to the gentleman alluded to, through the editor of the REGISTER.

IMPRUDENCE—OR WORSE. The "St. Louis Enquirer," intimating that the restrictionists intend to renew their designs at the next session of congress, says—Missouri will then appear "as a sovereign state, according to the law of congress, and not as a territorial orphan;" that her people will, in that case, "give fresh proof to the world that they know their rights and are able to defend them." What signifies such language as this? All things considered, we wish that the Missouri question may be suffered to rest where it is, as the lesser evil; but, if congress pleases to take it up again, and refuses to admit the territory under the constitution which its convention has formed and is without power to enforce its determination, it is high time, indeed, that a new organization of affairs should take place.

BANKS AND SMALL NOTES. This city, as well as many other places, has long been inundated with counterfeit notes of the denominations under five dollars, and the recent detection of a great horde of them, has, at last, roused the people of Baltimore to a consideration of the growing evil. The losses on these notes, nine times out of ten, fall upon the poor, and it is time that their circulation was altogether stopped. The want of specie is not even pretended; why then should the banks be suffered to intrude their trash upon the public—impudently intrude it, after knowing that such bills are so well imitated as to deceive and defraud us? If a private gentleman, accustomed to issue many notes on a peculiar kind of paper, or in any particular manner, was to be informed that such notes were counterfeited so well as to deceive some that confided in his ability to pay, and yet still persist in

issuing his notes in the same way—every body would mark him down *villain*; but it appears that what is honesty between man and man, is too often disregarded by corporations, for the reason that they have "no souls."

The one and two dollar notes generally circulated, are executed in a most slovenly careless manner, seemingly to offer a temptation to counterfeit them, and most of them are only signed by one person, the cashier or teller. All of these descriptions should, at once, be indignantly rejected, if offered by the banks; and every considerate man who receives one of them, should immediately pester the bank by demanding specie for it; unless it is known that such bank has ceased to issue these dirty little bills—just as likely, sometimes, to be a medium of conveying yellow-fever, as sundry things wisely prohibited by certain boards of health! The people of Baltimore talk of calling a town meeting to "cry them down," and we sincerely hope that some measure will be adopted to lessen the extent of the evils suffered by *illegitimate* makers of bank notes.

Good news. The Central bank of Georgetown, Col. is winding up its affairs, and we understand will close them handsomely—having specie provided to meet its notes in circulation. The bank of Caroline, at Denton, in Maryland, is retiring from business—making no new debts and paying off its old ones as fast as possible. We wish that about two hundred more in the United States would act like wisely. The procedure would contribute much to the public safety against counterfeits, &c.

MANAGEMENT. It appears by a statement in the Savannah Republican, that, on account of the discredit of the notes of the banks of that city, in consequence of their refusal to pay certain debts which they owed to the office of the bank of the United States established there, they have, by great exertions, liquidated those debts, and again have the credit attached to specie-paying banks—but it appears, that they refuse to give money to individuals for their paper, unless the person applying for it will agree to take half the amount in bills of the *Darien* bank! It is also stated, that sometime since, when undoubted bills on England were at par, these banks bought large quantities of them, and sent them off with orders to ship specie for them to certain of the eastern ports of the United States. They made a profit on this transaction, in the first place, and, when the specie arrived at New-York, for instance, though they would not pay the cash for their notes as they promised on the face of them, they would oblige a holder of them by a draft on that city, at three per cent. advance! *What a beautiful thing is the rag-system!*

YELLOW FEVER. There are some prejudices against which truth seems to make a very slow progress—witness the belief in "ghosts and hobgoblins," still prevailing and tincturing the minds of most persons, in a greater or lesser degree. Even the light of experience, so embodied as almost to be felt with the hand, is at times insufficient to do away the effect of notions acquired we know not how. New-York has prohibited the intercourse with Philadelphia, so has Wilmington, Del. and Norfolk, partially. In Philadelphia the same policy was pursued in former years, and yet now the board of health, with much apparent gratification, declares, that each of the few cases of fever occurring in that city, can be traced to the "infected district," or districts. We have no doubt of this—it shows that

the disease is *local*, and not contagious, as has been completely proved a thousand times over. The fever which we had last season in Baltimore, was not contagious—it may not have been the *yellow fever*, though all the doctors said that it was—but this is certain and known to every one, that no case of *contagion* was heard of. In the camp of 1000 persons, removed from the “infected district,” and huddled together as it were in heaps, several persons were taken sick soon after removal—but not one in consequence of the sickness of these: the numerous cases at the hospital were carefully nursed, and oftentimes visited by the mayor and other philanthropic gentlemen, but no one suffered by such attendance upon the diseased, whose complaints were generally of the very worst description. Within a stone’s throw of the editor’s dwelling house, seven or eight persons died of the fever, in the midst of numerous families—not one of these became ill, for the subjects brought the disease from the “infected district”—in which, truly, a severe epidemic prevailed. And in the present year, six or eight weeks ago, we had three or four as pure cases of yellow fever, (so the doctors said), as ever were known; but the cause of the disease was removed, and the district has ever since been as healthy as any other. In New-York, too, last year, there were sundry instances of this fever, but the police confined it to the space in which it originated. If it had been *contagious*, could it have been stopped so promptly? Certainly, I would not freely visit or attend upon a person sick with the yellow fever at a place where he caught the disease, but, in a *pure atmosphere* would as willingly wait upon him as on another with a broken leg. We expressed these sentiments when Baltimore was afflicted, and repeat them now when she is in extraordinary good health, not for the sake of controversy, but to subserve truth. Acting on these principles, Baltimore will not prohibit the intercourse with Philadelphia, and thus give the strongest test that we can of our faith in the opinion, that this fever is local though it may become an epidemic—but that it is not contagious, and cannot spread in an atmosphere destitute of its principles of formation. It is believed that the yellow fever may be generated just as easily as intermittents are produced in flat countries by ponds of stagnant waters, exposed to the rays of a summer’s sun, &c. And the singular exemption of Baltimore at this time from every description of fever, we think, under Providence, is to be attributed to the meritorious exertions of our city police—the mayor and the commissioners of health, assisted and supported by the other officers. All these have been indefatigable, and we are permitted to enjoy the blessed fruits of their labors.

MORE OF THE TENNESSEE PROJECT. Having received a copy of the wonderful law recently passed by the state of Tennessee, we had an intention to publish it entire—for the good of posterity; as we are quite certain that we shall have to give a dismal account of its operations: but meeting with the following summary of it in the “Richmond Enquirer,” we have thought its re-publication might be sufficient:

The relief law of Tennessee. The bank bill, establishing a new bank, (“Bank of the state of Tennessee,”) at Nashville, with a branch at Knoxville, to continue till 1843—capital \$1,000,000, in bills payable to order or bearer, to be emitted on the security of the borrowers, and guaranteed by the state, on the proceeds of the sales of Highwassee lands,

the interest of the sales of land south of French Broad and Holston, and the ordinary revenue of the state not otherwise appropriated; the notes of this bank to be not under the denomination of 1 nor over \$100. All the public monies to be deposited in it. It shall discount bills of exchange, notes well secured, or public stock; it shall also loan for twelve months, in the nature of discounts, on real or personal property, secured by a mortgage on the property, the loan never to exceed one half of its value—no loan to any individual to exceed \$500. Agencies to be established in each county, which shall loan to them a share of the capital proportioned to the amount of tax it paid into the treasury in 1819. The bills of the bank to be receivable for all monies due to the state, colleges, &c. and for county taxes, &c. No execution to issue from any court until two years after the rendition of judgment, unless the plaintiff shall endorse on execution that he is willing to receive the notes of this bank, as well as of the others specified in the act of November 24, 1819. (This bank is not to have any specie to redeem its notes, unless peradventure it may obtain a small supply by the power given the governor to issue \$250,000 of six per cent. stock, to be sold by the bank from time to time, *at par*—but as it is not provided what this *par* is to be in, whether specie or bank notes, it is highly probable that the payment for the stock will be made in notes, and thus no specie will flow in. It results that besides all the paper of the present banks, Tennessee is to be flooded with a new circulation of a million of dollars, *inconvertible into specie*. By what a mongrel, fluctuating and depreciated currency must this state be cursed, in consequence of the unwise policy of establishing this new, *specieless*, and wild institution).

2. “Besides this relief bank, a redemption act is passed, authorizing the defendant to redeem in two years, all lands and negroes sold under execution, on paying the purchaser ten per cent. on the money he may have advanced. It also prohibits officers selling under execution some few household and family articles—it also authorizes *personal property*, sold before next December, to be redeemed in like manner as negroes or real estate. This is a new relief, different from a stop law, property law, replevin law, and others of the *relief family*. It rather resembles the redemption of lands sold for taxes.”

It appears that general Jackson again stepped forward to serve his country, while these bills were pending. A remonstrance, attributed to his nervous pen and written with great ability, and signed by himself, col. Edward Ward, and others, of Davidson county, against those proceedings, was presented, pronouncing them to be in direct violation of the constitution of the U. States; which the members were reminded that they had taken an oath to support—and also, that they were inexpedient, and, in their opinion, would prove ruinous in their consequences. We have not seen this remonstrance, in extenso, but, from its character, shall probably insert it at length. It gave much offence, in reminding the members of the legislature of their oath to support the constitution of the United States, and its consideration was postponed until the 1st day of January, 1821, by yeas and nays in the senate: yeas 11, nays 6. Two of those who voted in the affirmative have felt it necessary to come forward with a long statement of their reasons for doing so. The Enquirer says that “a bill for establishing a town by the name of Jackson, was ~~amended~~ by striking out the name and inserting *Nogah* port.”

Missouri Question.

SPEECH OF MR. TUCKER, (OF VIRGINIA),
IN THE HOUSE OF REPRESENTATIVES.

After some prefatory remarks on the unusual length to which the present discussion had been protracted, and the impatience it was so well calculated to produce,

Mr. TUCKER, of Virginia, said, he should not have ventured to trespass further on the time of the committee, if his objections to the proposed amendment, particularly as to its expediency, had been anticipated by those who had gone before him in the debate. There is, indeed, said he, Mr. Chairman, something peculiar in every man's views of the subject, who exercises his own powers of reflection, and it is only by looking at it under these different *phases* that we can form a just estimate of its bearings and dimensions. I am the more desirous of speaking on the policy of the proposed restriction, because a distinguished member from Pennsylvania, (Mr. Sergeant), has said that Virginia had no interest in this question. Sir, I think I can shew, to every unprejudiced mind, that it threatens not only the peace and welfare of Virginia, in common with all the slave-holding states, but their very political existence.

Before I consider the constitutionality of this restriction, I beg leave to say a word on the subject of precedents. The member from Pennsylvania who spoke yesterday, (Mr. Baldwin), has, perhaps, rendered it unnecessary that I should address you on this topic. He has shewn, by arguments which it would be difficult to answer, that the precedents on which the supporters of the amendment so much rely, either have no application, or, if closely examined, disprove the existence of the power now claimed for the congress of the United States. But, sir, suppose these precedents to be of a different character, what is their authority?

The effect of precedent, in a constitutional question, seems to be derived from the presumption that those who have made the decision have heard the arguments for and against the power sought to be exercised, and have, after due deliberation, decided. But when we know that this presumption is not the fact, and that the power in question has hitherto been exercised without controversy or examination, I think that precedents of this sort are entitled to little or no weight, and that those who deny the existence of the power have a right to ask those who assert it to point out that particular part of the constitution from which it is derived. The advocates of the amendment have virtually admitted the reasonableness of this claim, as, while they have insisted on the force of precedents, they have directly inferred the power they contend for by arguments drawn from the constitution itself.

In the examination of this doctrine, I shall confine myself to that clause of the constitution which speaks of the admission of new states; for, although other parts of that instrument have also been referred to in support of the restriction, yet every gentleman on that side of the question has laid the chief stress of his argument on this clause, and some have relied on it altogether. They contend that the right in congress to admit new states into the union, implies the right to refuse admission. This, I agree, is a fair implication. But they further insist, that the right to admit or reject implies the right to impose terms on admission, and they support their position by the legal maxim *cujus est dare ejus est disponere*—he who can give may regulate his gift; may say how he gives. Sir, this is not true,

even in municipal law. If there be a grant in fee simple, on condition that the grantees shall not alien, the condition is void for repugnancy, and the grant is absolute: so, also, of a condition in violation of law, or against its policy.

But the rule is still less true in constitutional jurisprudence. It may sometimes be expedient to give the power of rejection, and to refuse that of admitting on condition. The one may be deemed safe and salutary; the other inexpedient and dangerous. Examples of this sort are frequent in our constitutions. Thus, the president may approve or reject a law, but he cannot propose amendments. It is true, he has but a qualified veto; but in those cases in which a law has passed by a majority of both houses, but with less than a majority of two-thirds, the argument is the same as if his negative were absolute. I appeal to every member of the committee, whether, if the president possessed the power of making amendments, it would not be a greater power than that of absolute rejection. The one has been exercised but two or three times since the formation of the government; the other would be a matter of daily recurrence. Thus, too, in the constitution of Virginia, the senate has the unconditional power of rejecting money bills, but not the power of amending them. And, in like manner, it would be a less power to refuse the admission of a new state absolutely, than, by taking advantage of its anxiety to come into the union, to mould its constitution, in a great degree, according to the pleasure of congress. The power of annexing conditions, then, being a different, and not, necessarily, an inferior power, the one is not included with the other.

But, Mr. Chairman, if the power of admitting new states into the union, does not give congress the right of imposing conditions at discretion, still less does it give the right of imposing conditions repugnant to the great principles of the constitution. We cannot, without the grossest absurdity, infer from that charter a power to effect its own destruction. To do this, would be to make the implied power greater than the express; the creature greater than the creator. But the power of imposing the proposed restriction on the state of Missouri is thus inconsistent with the constitution.

In the first place, it would alter the proportion of power between the general government and the individual states. The essence of our complex government consists as much in this proportion as in any thing else. If congress possessed more municipal powers, ours would be more a consolidated government; if a less portion, it would more resemble the old confederacy. This proportion of power is as much disturbed by lessening the power of the states as by increasing that of the United States. The effect is the same whether you take out of one scale or put into the other: in both cases the balance established by the constitution is destroyed.

Sir, if you have the right of imposing one condition, not expressly prohibited, you have the right of imposing another. Suppose, then, that congress should reserve to itself the right of defining and punishing crimes in the new state, or the regulation of its landed property, or a negative on all its laws, would not the possession of these extensive municipal powers completely change the character of this government? I would further observe, that this power must appear to be the more dangerous, when we recollect how large a part of our territory, west of the Mississippi, is yet to be laid off into new states, and that every new state which enters into

the union, with restrictions on its sovereignty, as was well argued by a gentleman from South Carolina, (Mr. Lowndes), becomes at once an example and an advocate for further restrictions on others. In this way, that constitution, whose component parts were so cautiously adjusted and so skilfully balanced, would be effectually destroyed.

It is no answer to this argument to say that such an exertion of power as I have supposed is highly improbable. In expounding a constitution, it is perfectly fair to test the correctness of a principle by extreme cases. Besides, the framers of the federal constitution have endeavored to guard not only against probable dangers, but also against remote possibilities. They have prohibited both the United States and the several states from passing any bill of attainder, than which, according to the settled principles of criminal law at the present day, nothing was more improbable. Thus, too, there is a similar prohibition against the grant of any title of nobility. Surely, when we consider that this institution originated in the days of feudal barbarism, and recollect how much the genius of our people, their habits and laws, all favor an equality of rights, it must be admitted that nothing but a determination to guard against the most distant and improbable dangers could have dictated such a provision.

Mr. Chairman, the proposed restriction is also inconsistent with the federal constitution, because it is irrepealable. The framers of our form of government knew that in the vicissitudes which time is ever bringing about in human affairs, provisions should be made for correspondent changes, not only in our laws, but in the constitution itself. Accordingly, there is no rule of action, whether it be prescribed for individuals, for the states, or for the federal government, which may not be legally changed. Sir, this restriction would either be an act of judiciary legislation, or a fundamental law. If it be a mere legislative enactment, it may be abrogated by our successors: the clause which declares it irrepealable may be itself repealed. If it be a fundamental law, then we cannot pass it. In either case, by attempting to impose an irrepealable condition on the people of Missouri, we attempt to exercise a power which the constitution has denied us.

In support of these extraordinary doctrines, the advocates of the amendment have found it necessary to draw a distinction between the rights of the thirteen original states and those subsequently admitted. But the constitution recognizes no such principle; and it would be not more an invidious discrimination than it is repugnant to the common sense of mankind. Allow me, Mr. Chairman, by way of illustration, to put case familiar to all. Let us suppose a voluntary association of individuals, for purposes of business or amusement, who form certain rules for the government of their society or club; and that one of these provides for the admission of new members. When a new member is admitted, we know that he is placed, in all respects, upon the same footing as the former members, unless, indeed, some previous rule warranted a distinction, or a new rule is made for that purpose. Now, the constitution is precisely such a set of rules for the association or confederacy of states. It is not pretended that it makes any distinction between its new and its old members; and a rule cannot be made by you, but solely by the people. I will here take occasion to observe, Mr. Chairman, that, in expounding the constitution, I think we should be cautious of introducing too much subtlety and refinement in our reasoning; both because that mis-

ment is made in the name of the people, and because the people are, in some form or other, its final expounders. Simple, direct and manly reasoning, conforming as much as possible to the common sense of mankind, gives us at once the justest rule of construction, and the only one, which, in great cases, is likely to be carried into effect.

Gentlemen, on the other side, however, by way of parrying the force of these objections, have urged that, though the proposed restriction may not be void as a condition imposed, it may be valid as a compact agreed to. But if, as has been shewn, new restrictions on the power of states would alter the essential character of the government, then you can no more consent with another to impose these restrictions, than you can impose them by your sole legislative will. You cannot aid in doing that indirectly, which you are forbidden to do directly. With the limited power delegated to you by the charter which created you, you never can rightfully assume the power of destroying that charter, or of assenting to its destruction. Besides, there must be a third party to such a contract, and the most material party, too, (I mean the people), before it can be binding.

But, again, sir, in every contract, both parties must be bound, or neither; and the people composing the proposed state of Missouri cannot bind future generations by a compact of this character. An honorable member from Pennsylvania, (Mr. Sergeant), by way of obviating this difficulty, has mainly contended, that a state may, by compact, part with portions of its sovereignty; and he cited several instances of such an exercise of power. But that gentleman did not, with his usual perspicacity, advert to the distinction between two very different exertions of sovereign power; acts which are complete of themselves, and rules of action. The one looks to the present and the past, the other to the future. Thus, a sovereign state may, by expending money, alienating territory, declaring war, and the like, do that which it can neither recel nor control: but, by such acts, the state may be said to exercise its sovereignty, rather than to part with it: and it will be found that the examples given by the honorable member were of this character. But, as to the rules of action, whether they be prescribed to the legislature for the future conduct of the citizen, or by the people for themselves, I had supposed that, in this country at least, these might always rightfully be abrogated or changed. Sir, if there be any political principle deemed fundamental among us—if there be one on which the American revolution rests for its justification, or the right of self government for its security, it is, that no generation can make laws or constitutions that are binding on their posterity. And this amendment, turn it as you will, is an attempt to make a constitution by law, and to make that law unchangeable.

The same gentleman, as well as his colleague who preceded him, (Mr. Hemphill), contended that the proposed restriction would not impair the rights of Missouri; for, said they, slavery is confessedly an evil and an injustice, and a state cannot claim a right to do wrong. Here, too, the gentlemen have not exercised their wonted powers of discrimination. They confound political with moral restraints; power with right; the possession of the power with the virtuous exercise of it. Thus, to illustrate the difference, every man has the power of regulating the concerns of his own family as he pleases, if he violate not the laws of the land. He may be very capricious and tyrannical, and, no doubt, often is so;

but, while he thus violates moral right, he has the power, not merely physical, but political, of thus acting. This is what is called an abuse of power; and, in that sense, a man may properly be said to have a right, that is, the legal power to do wrong.

I will not detain the committee by objections to the amendment derived from the Louisiana treaty, especially as the arguments which had occurred to me on this topic have already been urged by other gentlemen. I will, therefore, proceed to examine the policy of the proposed restriction.

Mr. Chairman, the view I have taken of the consequences of this restriction compels me to regard it as the most important branch of the question before us. I have seen, by ingenious and refined constructions of the constitution, measures pursued by each of the great parties which have ruled the destinies of this nation, that were supposed, by a large majority of the community, to have violated the meaning of that charter. Such occasions have indeed always produced great party heat and animosity, and interrupted, in no small degree, the harmony of social intercourse. After a while, however, these feelings have passed away. The wounds they created were healed, and their causes forgotten. But, if you persist in this restriction, it is not for human foresight to estimate the sum of its future mischiefs. I beg leave to call the attention of the committee to some of the most obvious.

It is, in the first place, Mr. Chairman, no small objection to the exercise of this power, that it is unpalatable to the people on whom it is to operate. In the other instances which have been produced, in which conditions have been attached to the admission of new states, these conditions have been entirely acceptable to the states admitted, and such as they would voluntarily have imposed on themselves. But the present is the first occasion in which this government has attempted to impose unwelcome conditions on a new state. The people of Missouri can see no reason why they should be treated with this unwonted rigor. To tell them that this restriction is for their benefit, is to add mockery to unkindness.

Sir, they claim the privilege which every free-man asserts, of being the best and the sole judge of what suits them. They say that all your arguments derived from morality, religion, or local policy, should be left to themselves, and that, while you affect to receive them as equals, you are dictating to them as children; or that you yourselves manifest a distrust of these arguments by your wishing to enforce them with constitutional provisions. Sir, they are just such men as yourselves; they are a part of yourselves; and they would be unworthy the name of American, if they did not feel this condition as a degradation. On the policy of introducing slaves, I understand they are somewhat divided in Missouri, as elsewhere. Many of them, contemplating the moral and political effects of domestic slavery, are opposed to its further extension. Were I there, I should probably be one of this number.—But on the power of congress to impose the restriction, I learn that there is but one sentiment. They consider it a common cause, which they are bound, upon every principle of self-respect, to oppose; and they already assimilate your conduct towards them to those oppressions of Great Britain towards her colonies which finally produced their independence.

Putting aside the feelings of the people of Missouri, is it not a solid objection to this restriction that your power to impose it is doubtful and contested? However thoroughly gentlemen on the

other side may be persuaded that congress possesses this power, they must know that a large portion of the United States are as thoroughly persuaded that it does not: that, on this question, there is entire unanimity in the slave holding states; and that, with all the motives to an opposing unanimity in the other states, there is, among them, as well as among their representatives in this house, considerable diversity of opinion. They must also recollect, that, though these circumstances do not produce conviction, they must produce some doubt; awaken some distrust in the infallibility of human reason in every ingenuous mind. And, Mr. Chairman, when we consider the influence of public opinion on the harmony and stability of this union, it must always be a matter of regret that the government should exercise powers that are doubtful, or even disputed. Until habit and custom have had their wonted effect in cementing the union, its strength and permanency must rest on the affections, the undivided affections, of the people, and nothing is more likely to weaken their attachment than a want of confidence in this house, the natural guardian of the people's rights, and their immediate representatives.

But, Mr. Chairman, the immediate effects of this restriction, important as they are, shrink into insignificance when compared with its distant consequences. I ask the indulgence of the committee, while I endeavor, as briefly as I can, to be intelligible, to bring them to their notice.

It will be admitted that our numbers will continue to increase, at their present rate, or near it, until they are checked by a diminution in the means of subsistence, and that the means of subsistence will be abundant and easy, so long as we have fertile lands to settle and cultivate. These principles of population, now so familiar to all, were first distinctly stated, so far as my information extends, by sir James Steuart. They are also noticed by Dr. Franklin, and seemed to have been an original suggestion of his own good sense and sagacity. But, their influence in producing human misery and vice, and in circumscribing the efficacy of governments, were never fully developed, before the appearance of Mr. Malthus' essay on population, which I cannot but consider as a work of great ability. I make these remarks, because the censure of my colleague (Mr. Randolph) on this writer, the other day, was general, though probably it was intended to apply to the author's theory of the poor laws, and not to the principles of which I have spoken.

From these undeniable principles, it follows that, if the blacks be confined to the present slave-holding states, while the whites are left free to emigrate to the more tempting regions of the west, the ratio of blacks to whites must be continually increasing, until our population has reached the Pacific.

It has, however, been contended, that the blacks, thus confined to the slave holding states, will increase more slowly than if they were allowed to spread over the country west of the Mississippi, because population in that case will sooner begin to press on the means of subsistence; and, in answer to the inhumanity which this consideration implies, the gentleman from Penn. (Mr. Sergeant) says, that, as the check upon the natural increase must inevitably take place, sooner or later, on both classes, it is better that it should operate first and strongest upon the blacks rather than the whites.

The argument would be sound, so far as policy is concerned, whatever may be thought of its consistency with some other principles maintained by

the same side, if the restriction would have this partial operation. But, by reason of the emigration which is ever going on from those parts of the United States where population is most dense, to those where it is most rare, the natural multiplication is every where the same. Thus, in the state of Connecticut, of Maryland, or Virginia, though, by the census, their population seem to be nearly stationary, we have every reason to believe that the principle of increase operates in as full vigor as in the other states; and that the excess of their numbers is kept down by emigration, to which the state of our country and the habits of our citizens afford so many facilities. The clock, then, of which the gentleman speaks, operates on both classes alike, and will operate upon neither until the whole of our territory is settled, and its most fertile lands are brought into cultivation.

The state of Virginia has already experienced, in a small degree, the effects of this partial emigration. It will be recollected that the member from Indiana, (Mr. Hendricks), stated, that he represented as many who had migrated from the south as from the north; and the states of Ohio and Illinois have also received considerable accessions from the slave-holding states. Now, as these emigrants have not been permitted to carry slaves with them, their removal must have altered the ratio of the two classes in the states they have left; and hence it is, that, in Virginia, as one of the fruits of her cession of the territory northwest of the Ohio, the black population has been steadily gaining somewhat on the white.—Hitherto, however, the migrations from the older slave-holding states have been principally to Kentucky, Tennessee, and the other Mississippi states; from one part of the slave-holding country to the other, where lands were at once cheaper and more fertile; but, as soon as these states are filled up, and population begins to press upon subsistence, the Missouri, and its thousand tributary streams, will draw off the surplus numbers of the slave-holding states, and this unequal drain will operate with undivided and still increasing force.

It has also been urged against the probability of this growing disproportion between the blacks and the whites, that it must be the poor and laboring class, persons not owning slaves, who may chiefly be expected to emigrate from the slave-holding states; and that these states have not a sufficient number of that class to admit of emigration to the extent supposed. But it must be remembered, that the white population considerably exceeds the black, and that as individual citizens often own many slaves, there must be a proportional number who own none. There must, necessarily, be, for every person who owns an hundred slaves, more than an hundred whites who are not slave-holders. There is, then, an ample number of the poorer class for the inducements to emigrate to act upon; and, if that were not the case, the same inducements would operate on the slave-holding class, and, by transferring the lands and slaves into fewer hands, assimilate every portion of the slave-holding district to the lower part of South Carolina, and some other of the Atlantic states.

An honorable member from Massachusetts, (Mr. Whitman), however, observed, that there could be no danger from the relative increase of slaves, for an hundred years to come, and that a century was as far as politicians could be expected to look or provide for. I will observe, by the way, that I was surprised to hear such an opinion from an American statesman. An hundred years, sir, is a long

period for human life, but is a short one in the life of a nation. There are few of the sovereignties of Europe which cannot number many centuries of existence, and I should be sorry to think that our government was not likely to endure and prosper as long as any other. But, let us limit our views to the moderate term that has been mentioned. Supposing then the slaves in the United States to have augmented as fast, in the last ten as they did in the ten years preceding, they now amount to upwards of a million and a half. Suppose that they will continue to double every twenty-five years their present rate of increase, then, in the lapse of a century, their numbers will amount to no less than twenty-four millions. Estimating the present slave-holding states to contain 424,000 square miles, according to Mellish's estimate, this number of slaves will give nearly sixty to a square mile; a density of population implying a general occupation of the land, but by no means a difficulty of procuring subsistence. In the same period, the whole population of the United States, allowing it to double, in like manner, four times, will amount to one hundred and sixty millions, which, according to the same authority, will give, for the whole union, nearly an average of sixty to the square mile. Now, as this population will be very unequally spread over the different parts of our territory, being more dense in the older settlements, and less so in the new, it is impossible to say, with accuracy, what will be the degree of density in the slave-holding states: but, whether it be greater or less, the ratio of blacks to whites would be most fearfully increased. If we assume it to be eighty persons to a square mile, (and I think we cannot reasonably believe it would be much greater, on the supposed average, throughout the union), the blacks would be to the whites nearly in the proportion of three to one.

With this great and still accelerating gain of the black population, who can answer for the consequences? The wildest political visionary does not think it practicable to amalgamate such discordant materials; we must be in that situation then in which we can neither safely set them free, nor hold them in subjection. If one of the two races must yield to the other, who can say which it will be, or how it will be effected? Sir, this is a subject of peculiar delicacy, and I will not press it further than to remark, that if restriction could be enforced, the least pernicious result to which we could look forward, would be, that the whites, finding the African race constantly pressing on them, would finally abandon the country, and leave the blacks undisputed masters of the soil. But if, as would be too probable, the disease should have a violent termination, the struggle between the two races would end in a war of extermination.

It has also been said that, be the political and moral evils, from the growing increase of the blacks, what they may, the whites, in any disproportion which can be deemed probable, will always be sufficient to keep the blacks in subjection, and secure the tranquility of the state. But, granting that the authority of the whites would always be sufficient for this purpose—though history warns us of the contrary—yet there is a cause beyond our control, which will, sooner or later, prevent our holding them in servitude.

As soon as our population has overspread the whole habitable parts of our territory, and brought our waste lands into cultivation, human labor will begin to decline in value. This is very high with us at present: it is lower in Europe, and lower still

in China; every where gradually decreasing as population advances. In the same proportion that the price of labor diminishes, must the value of slaves decline, until at length the cost of bringing up one will be more than he is worth. When that period arrives, the community will not, and cannot, impose on itself the burden of supporting slaves; and, be the consequences what they may, they will be manumitted, and then all the difficulties to the union of the two races must be encountered. This effect of the gradual decline of labor in producing emancipation, was also urged by the Speaker, (Mr. Clay), but we draw different inferences as to its remote effects. I cannot agree with him in the probability that the African, as well as the Indian race, will, under any course of policy we may pursue, be finally extirpated. It seems to me that they will continue to increase until their labor ceases to be valuable, that is, until our waste lands are brought into cultivation, and, when that period arrives, we have seen that their numbers will probably amount to twenty-four millions, and greatly exceed that of the whites inhabiting the same district.

But, Mr. Chairman, many look to colonization as the means of avoiding these threatening evils. Sir, I do not wish to disparage the exertions of the society established for the purpose of colonizing the people of color—its members deserve the thanks and good wishes of every friend to his country. But I have long since abandoned the hope of deriving any remedy for the evil of domestic slavery from this quarter. I, too, was once an advocate for colonization, but I now consider every project for riding the country of its black population, as utterly hopeless and impracticable. Estimating their present numbers at 1,600,000, their annual increase is about 51,000. The colonization society, as the result, I believe, of one year's efforts, are about to send to Africa, from New-York, 17 blacks, which is little more than the increase of a single day. Taking the average value of the slaves to be 300 dollars each, it would require upwards of 15,000,000 of dollars to purchase 51,000, and probably 5,000,000 more to transport them to Africa. And this annual expenditure of 20,000,000 is not to reduce the number, but merely to keep it stationary.

Thus, sir, we see that the effects of this fatal policy are as inevitable, as uncontrollable as the laws of nature. But if, on the other hand, the slaves be allowed to spread themselves equally with the white population west of the Mississippi, then they must always continue, as they now are, inferior in number to the whites; and, when the period arrives, as it certainly must, when the self-interest of individuals will burst the bonds of the slave, emancipation will then consist with the tranquility and safety of the state; and, in the mean time, partial emancipation is making rapid advances. Let me call the attention of the committee to its progress, according to facts which are correctly taken from Doctor Seybert's valuable publication, and which are not garbled like those in some late pamphlets, to further a favorite purpose. In the state of Delaware, in 1800, the free blacks were, to the slaves, in the proportion of four to three. In 1810 they had increased to the proportion of more than three to one. In Maryland, in the same ten years, the proportion of free blacks to slaves, had increased from one-fifth to one-third. In Virginia, from one-seventeenth to one-thirteenth. In North Carolina, from one-nineteenth to one-sixteenth. In South Carolina, from one-forty-sixth to one-forty-third.

In Georgia, however, the proportion has diminished from one-thirty-first to one-fifty-eighth; be-

cause, as you know, Mr. Chairman, the legislature of that state thought it necessary to prohibit the further progress of emancipation, and to expel a number of its free blacks. It is worthy of remark, that this progress increases by regular gradations as you advance north. It is owing to voluntary emancipation no less, perhaps, than to the migrations from Europe, that the ratio of slaves to the whole population of the United States has been continually decreasing. In 1790, they were more than one-sixth of the aggregate of our population. In 1810 they were reduced almost to one-seventh. They now are, without doubt, less than a seventh; and, before the lapse of a century, if things are left to their natural operation, they will probably be reduced to a tenth, or less. But, if you enforce this restriction, other states will follow the example of Georgia, and, in their own defence, put an entire stop to the further increase of free blacks among them. Surely, then, gentlemen on the other side will not render impracticable that melioration which they so much profess to cherish.

But, if our brethren of the north and east are indifferent to our interests, I trust they will not be regardless of their own. Sir, I think that all the Atlantic states are concerned in opposing this restriction. If the confinement of the black population to the east of the Mississippi, while the whites are free to emigrate to the west, must necessarily alter the proportion of their numbers, as I think I have shown; then, in which ever way the slavery of the blacks may terminate, the strength and influence of the Atlantic states will be greatly impaired. As our population advances westwardly, the line of local division will probably be, not as at present, between the north and the south, but between the western and Atlantic states. On all questions concerning foreign commerce and navigation, the interests of the latter will, in time, be the same; and these interests cannot be protected against the preponderating influence of the west, without a voice and numbers that will secure respect. Besides, without waiting for the dangerous epoch I have mentioned, if the arguments be just, that a state will possess more wealth, and strength, and weight in the legislature, when inhabited by freemen than by slaves, it seems strange that gentlemen from the north should seek to increase that political influence which, on the supposition of local parties, will be opposed to them, and to lessen that of their natural allies.

Before I conclude, I will take a cursory notice of some further considerations which were urged in favor of this restriction.

The member from New-York, who moved the amendment, (Mr. Taylor), said that the further diffusion of slaves would lessen the revenue of the nation, inasmuch as the consumption of slaves is less than that of freemen. No argument could have been more unfortunate than this. It is well known to us all, that the slave-holding states are generally opposed to an increase of the impost, and the other states generally friendly to it: and this because we are the greatest consumers of imported goods, and they are the most extensively engaged in domestic manufactures. Ask, sir, the great importers of New York to whom they make the chief sales of foreign merchandise, and they will tell you, to the merchants of the Carolinas, of Georgia, and Virginia.

Another objection has been drawn from the increase of representation which Missouri would derive from its slave population; and a member from Pennsylvania, (Mr. Hemphill), in urging this argu-

ment, observed that a citizen in the slave-holding states, who owned an hundred slaves, had as many votes as sixty freemen in the other states. This remark did not partake of the candor which in general characterized that gentleman's speech.

Sir, in the slave-holding states, one-slave-holder, having the right of suffrage, has no more votes than another; and if we estimate the additional influence which each voter derives from the representation of two-fifths of the slaves, it will be found to be less than a vote and a half, instead of sixty for one. For this small difference of political power, they pay a full consideration, not only by bearing a greater share of direct taxes, but by contributing more largely to the revenue arising from impost. Both these objections are, moreover, founded on the fallacy that the number of slaves will be increased by their further introduction into Missouri. But, it is conceded, that their multiplication is as great at present as the laws of nature permit; and we have seen that they will continue to increase at their present rate, whether they be confined to the slave-holding states or not; it follows, therefore, that the question is not whether we shall have a greater or smaller number of slaves, but whether we shall have the same number on the east or the west side of the Mississippi.

But it has also been said, that the slaves, in a slave-holding state, increase faster than the freemen.—Sir, the census gives evidence of no such fact, notwithstanding what more than one publication has stated to the contrary. If we take the whole slave-holding district together, (and this is the only fair way of making the comparison), it will be found that the increase of the whites, from the year 1800 to 1810, was as 100 to 126, while that of the slaves, in the same time, was as 100 to 129. This difference of increase amounts only to about 40,000 in favor of the blacks; which is certainly not more than can be accounted for by the importations from the year 1800 to 1808, when congress put a stop to that abominable traffic; and to the emigration to the north-west of the Ohio, of which I have spoken. Leaving out the states of South Carolina and Georgia, the white population has gained a little upon the slaves. The truth is, that if there be some causes more favorable to the natural increase of the blacks, there are others more favorable to that of the whites. There is, therefore, very little difference between them; and the increase of both is nearly at its maximum.

There is, however, an objection of more plausibility, to which I will advert. It is said that, by extending the market for slaves to Missouri, we shall encourage the African slave trade. Sir, I cannot be brought to believe that our government is not able to carry into execution the laws it has made against this disgraceful traffic. But, supposing that a small number of slaves should be smuggled into the country in spite of our utmost vigilance, they will then remain in Louisiana and Georgia, where their labor is most valuable, and not be transported into Missouri. The slaves which would be carried to that state would be principally original members of the families of emigrants; and it is extremely improbable that any would be carried there from the Gulf of Mexico. The trade is known to be in a contrary direction; nor do I remember ever to have seen in Virginia a slave who was born in Africa; except in a single instance, in a town in which I live. If we regard the known current of trade, it is just as reasonable to suppose that our settlements on the Missouri will give new encouragement to

the smuggling of tea, for example, in Passamaquoddy bay, as of negroes in Louisiana.

But the zeal and ingenuity of gentlemen have found a further motive for this restriction, in the peculiar liability of slave-holding states to insurrections, and in the greater probability of their involving the general government in war. But, Mr. Chairman, a similar objection may be made to the further extension of our foreign commerce. All the maritime wars in which this government has been involved, have grown out of foreign commerce. Now what would the members from the new state of Maine say, if they were told, that, as that commerce to which they were addicted, was dangerous to the peace of the United States, they must agree to abandon it before they could be admitted into the union? If they could insist that they already possessed this commerce—that the other adjoining states were allowed to prosecute it unmolested, and that no discrimination could justly be made between them and the other members of the same confederacy, the representative of Missouri might allege the same arguments in his favor; and no reply could be made to him, which could not, with equal propriety, be made to the members from Maine. Such a discrimination being equally odious, unreasonable and oppressive to both; I trust it will be attempted on neither.

Having now, Mr. Chairman, examined this great question with all the fairness of which I am capable, I intreat the committee to give these suggestions their serious consideration. If my views of the consequences of this policy be correct, as I religiously believe them to be, it must be seen that the slave-holding states are bound to resist the restriction at every hazard. I mean not this as a threat; but merely to remind them of the uncontrollable influence of the law of self-preservation; and to appeal to the interest which every member of this committee must take in the safety of the union, and the welfare of every part of it.

REMARKS OF MR. SMITH, OF MD.

Mr. S. Smith said, that he rose principally with a view to state his understanding of the proposed amendment, viz. That it retained the boundaries of Missouri as delineated in the bill; that it prohibited the admission of slaves west of the west line of Missouri, and north of the north line: that it did not interfere with the territory of Arkansas, or the uninhabited land west thereof. He thought the proposition not exceptionable, but doubted the propriety of its forming a part of the bill. He considered the power of congress over the territory as *supreme*, unlimited, before its admission; that congress could impose on its territories any restrictions it thought proper; and the people, when they settled therein, did so under a full knowledge of the restriction. If, said he, citizens go into the territory thus restricted, they cannot carry with them slaves. They will be without slaves, and will be educated with prejudices and habits such as will exclude all desire, on their part, to admit slavery when they shall become sufficiently numerous to be admitted as a state. And this is the advantage proposed by the amendment; for, when admitted as a state, they can, under the constitution, be subjected to no other restriction than is imposed by that instrument on all the other states of the union.

Mr. S. said that he meant not, at this time, nor did he know that he should, at any future time, enter into the discussion of the main point, but he must protest against the construction just given to the section of the constitution relative to migration

and importation. The section he read thus: "The migration or importation of slaves, such as any of the states may think proper to admit, shall not be prohibited by congress prior to the year 1808, but a duty may be imposed, not exceeding ten dollars each." The word *migration* was, he contended, applicable to slaves *imported*; it had no reference whatever to the native born slaves. The word was intended to prevent the interference of congress with slaves imported into one state from being removed into another. The states of South Carolina and Georgia insisted on this provision in the constitution. Virginia and Maryland did not permit importations. The importations were almost exclusively confined to Charleston; and the word 'migration' was introduced to permit slaves, imported into that part, to be passed, without molestation, into Georgia and North Carolina. It had no reference to any other than slaves *imported*; none whatever to the native born slaves. Read the section without the words "or importation," and a doubt cannot remain, to wit:—"The migration of such slaves as the existing states shall think proper to admit, shall not be prohibited prior to the year 1808." Can these expressions have any reference to the native born slaves? Certainly not; they refer only to such slaves as the existing states may admit to be imported during the given time, and to none other. I remember well, that the word "migration" was considered, by the friends of the alien law, as applicable to the whites emigrating from any part of the world to the United States; and that the sweeping effect given by the gentleman, (Mr. Brush) to the words "general welfare," was used to justify the alien and sedition laws; indeed, the gentleman's construction of the powers granted by those words gives all power to congress: the power would, according to his definition, be completely *dictatorial*. But the gentleman says, that congress has power "to regulate commerce among the several states;" and, under that power, can prohibit slaves passing from one state to another. A farmer, going to Missouri with his family and slaves, can be prohibited by congress, under the power to regulate commerce, from taking his slaves with him, although intended for agriculture, and not for commerce. Can the gentleman really believe in that doctrine? But I deny that congress has power to prohibit the produce of Maryland from being sent to Boston. It has never been tried; if it ever should, it will meet with few advocates. If congress has not the power to prohibit the cotton of the south from passing to New-York for sale, it cannot have the power to prohibit the slaves of the south, under the power to regulate commerce, from being sent to Missouri, either with or without their masters. If they are property, they cannot be prohibited, unless congress has power to prohibit other property. If they are persons, black persons can no more be prohibited than white persons.

Mr. Smith then said, that he had been led farther into the subject than he had intended when he rose, and would detain the committee no longer.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The private banks continue to increase the public distress, by failing to meet their engagements. It appears that several of them, like our own "Owl Creek" and "Mutton town" banks, were built upon paper only, and will not pay "any more than nothing" in the pound!

Mr. Kean, the great play actor, is about to visit

the United States. It is said that he took a benefit on the 13th of June, at which he played in high tragedy, danced and sung in an interlude, and was the Harlequin of the entertainment—all excellent.

Cheap crim. con. Capt. Pellew, of the navy, son of lord Exmouth, has recovered 250*l.* of a military officer, for criminal intercourse with his wife, who was the daughter of sir G. Barlow. Judgment was given by default—and assessed by a jury, perhaps only with a view to facilitate a divorce. Another person was, at the same sitting, brought in for damages to the amount of 1200*l.* for meddling with a wife who was a niece of lord Egremont. These are the "Corinthian capitals of society!" The vulgar sell their wives in the market, including the balter round their necks, for half a crown; but the nobility and gentry dispose of theirs, through the courts, at from 250 to 10,000 pounds, according to quality!

Generosity! Much praise is given to prince Leopold, who receives 222,000 dollars a year from the people of Great Britain without rendering a pretended service therefor, because he has "most liberally" undertaken to support his infant niece, the daughter of the late duke of Kent!—but his present liberality is not to be a bar to *future* claims on her account! The mother of this child receives 111,000 dollars a year; and, one would think, might maintain the baby herself.

Forgery. When, a year or two ago, we noticed the numerous executions for forgery in England, and made some remarks on the counterfeited paper money of the United States and of France, which the British government caused to be put in circulation; but we little supposed that an English court of justice had been polluted with a decision favoring the practice. A late Aurora, speaking of lord chief justice Kenyon says—he "owed his elevation to his baseness; and bad as the system of English common law is, and liable as it is to be the instrument of bad men against the best, the *spirit of the corps* has generally sustained some sort of character on the English bench: but all lawyers concur in the execration of Kenyon, for the shame he has inflicted on English jurisprudence; at the instigation of Pitt, he decided, what has since been fatal to English credit, that *bank notes* were a *legal tender*—and by another decision, that the *forgery of assignats* was legal and laudable."

The queen. It may be well to put the following bill on record, as introduced into the house of lords on the 5th of July, by the earl of Liverpool, and briefly noticed in our last. From the *experience* of the ministry as to the *manufacture* of testimony, we cannot hesitate to believe that persons are duly prepared to swear any thing against the queen; and to make it out, if necessary, that, like a poor maniac I once knew, who, having a hammer in his hand, being asked "what it was, and what he was going to do with it?"—said "it is a jovial tool, with which on the wings of the locust I rode to the north, and conquered the winter!!!" she has visited capt. Symmes' *inner world*, and committed adultery with the prince of the hole at the north, or south, or east, or west, as the case may require. The only thing doubtful is—whether the people will believe the testimony.

But John Bull is a queer fellow, moved sometimes by things that no other person regards, and besides, John is pinioned by the nobility, the fundholders and the priests, supported by a standing army greater than England ever knew in time of peace. The following is the bill alluded to—

"Whereas, in the year 1814, her majesty, Caroline Amelia Elizabeth, the princess of Wales and now queen consort of this realm, being at Milan, in Italy,

engaged in her service, in a menial situation, one Bartolomo Pergami, otherwise Bartolomo Bergami, a foreigner of low station, who had before served in a similar capacity:

"And whereas, after the said Bartolomo Pergami, otherwise Bartolomo Bergami, had so entered the service of her royal highness the said princess of Wales, a most unbecoming and disgusting intimacy commenced between her royal highness and the said Bartolomo Pergami, otherwise Bartolomo Bergami.

"And whereas her royal highness not only advanced the said Bartolomo Pergami, otherwise Bartolomo Bergami, to a high situation in her royal highness' household, and received him into her service, and that in high and confidential situations about her royal highness' person, but bestowed upon him other great and extraordinary marks of favor and distinction; obtained for him orders of knighthood and titles of honor, and conferred upon him a pretended order of knighthood, which her royal highness had taken upon herself to institute without any just or lawful authority.

"And whereas her said royal highness, whilst the said Bartolomo Pergami, otherwise Bartolomo Bergami, was in her said service, further unmindful of her exalted rank and station, and of her duty to your majesty, and wholly regardless of her own honor and character, conducted herself towards the said Bartolomo Pergami, otherwise Bartolomo Bergami, and in other respects both public and private, in the various places and countries which her royal highness visited, with indecent and offensive familiarity and freedom, and carried on a licentious, disgraceful, and adulterous intercourse with the said Bartolomo Pergami, otherwise Bartolomo Bergami, which continued for a long period of time during her royal highness' residence abroad, by which conduct of her said royal highness, great scandal and dishonor have been brought upon your majesty's family and this kingdom. Therefore, to manifest our deep sense of such scandalous, disgraceful, and vicious conduct on the part of her said majesty, by which she has violated the duty she owed to your majesty, and has rendered herself unworthy of the exalted rank and station of queen consort of this realm, and to evince our just regard for the dignity of the crown and the honor of this nation, we, your majesty's most dutiful loyal subjects, the lords spiritual and temporal and commons in parliament assembled, do hereby entreat your majesty that it may be enacted, and be it enacted, by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that her said majesty Caroline Amelia Elizabeth, from and after the passing of this act, shall be and is hereby deprived of the title of queen, and of all the prerogatives, rights, privileges, and exemptions appertaining to her as queen consort of this realm; and that her said majesty shall, from and after the passing of this act, forever be disabled and rendered incapable of using, exercising and enjoying the same, or any of them; and moreover, that the marriage between his majesty and the said Caroline Amelia Elizabeth be, and the same is hereby from henceforth forever wholly dissolved, annulled and made void to all intents, constructions and purposes whatever."

Latest—London papers of the 9th July.

The question as to an alteration in the duties on timber, is set at rest for the present year, the committees of both houses of parliament having adjourned the consideration of the subject until the

next session. In the course of a debate on this subject, lord Ellenborough said, it appeared, from evidence, that British shipping could be navigated at a cheaper rate than shipping from any other part of the world.

The Agricultural committee made their report in the house of commons on the 8th of July, but no proceedings upon it were expected to be made the present session.

The report of Mr. Canning's resignation is contradicted. He remains in office upon an understanding with his colleagues, that he is to take no part in any proceedings relative to the queen, either in the cabinet council or in the parliament.

In consequence of the postponement of the coronation, a number of the workmen employed in Westminster Abbey, have been discharged.

It appears from the report of a committee appointed to investigate the massacres at Manchester, that the number of persons injured at the field Peterloo, amount to six hundred, who were cut, trampled, bruised, legs and ribs broken, &c. Out of 420 sufferers, whom the committee first visited, *one hundred and thirteen were females!* Out of the whole number, one hundred and thirty received sabre cuts, and of the last number, fourteen were females!

We notice the failure of several banks. Within 60 miles of Cork, the amount of such failures is supposed to exceed a million and a half sterling!

It is calculated that a person has 1500 opportunities to leave London, by stage coaches, in 24 hours, including their repeated trips.

The population of Glasgow is 147,197, of whom 63,994 are males, and 78,203 females—an unusual population of the latter. The weavers and warpers amounted to 12,155—persons licensed to sell spirituous liquors, 1,613—one to every 20 families.

It is stated in the London Traveller of the 14th June last, "There are at present 1634 students on the books of Trinity College, Dublin—an unprecedented number. Oxford has 4102, and Cambridge 3958 members; all quite beyond former example.

There is a person at present residing in a small seaport town in Wales, who is clerk to the collector of the customs, clerk to the excise office, and clerk to the justices: he is parish clerk for the English service, and parish clerk for Welsh service: clerk to the coaches, and clerk to the packets.—He keeps a lodging house—is a notary public, an auctioneer, collector of the king's taxes, collector of the parochial rates, and a sexton.

The paintings by the old masters, which belonged to the late Mr. Warr, have been sold at vendue in London. The whole produced 10,027*l*. The death of Actæon, by Titian, brought 1700 guineas; a head of Christ, by Guido, 700; Abraham entertaining the angels, by Rembrandt, 7 by 9 inches, 200; the bath of Diana, by Titian, 600; the last supper, by Titian, 435; the Virgin and child, and St. John and Mary Magdalene, by Parmagianio, 350; the watering place, by Wouvermans, 560; Peasants with cattle, by A. Berchem, 450; view on a river, by Hobbima, 290; a knight in full armour, by Giorgione, 140; view of a village, by Gaspar Toussin, 210; a dead hare, and other game, spaniel, &c. by Wfenx, 165; Minerva, with her Ægis, &c. by Rubens, 155; Christ betrayed, by Temiers, 126; and many others at proportionate prices.

Stocks, July 9—3 per cent. consols. 68 5/8. American 3 per cents. 66 to 66½; 6's, 102 to 103. U. S. bank shares, 23*l*.

The queen. The coronation of the king has been put off indefinitely—the ministry thought it best to

give way, though lord Castlereagh declared that it was not occasioned by the proceedings in the case of the queen—but nobody believed him.

In the house of lords, July 6, lord Dacre presented the following petition from the queen:

"Caroline Regina,

"The queen has heard, with inexpressible astonishment, that a bill, conveying charges, and intended to degrade her and to dissolve her marriage with the king, has been brought by the first minister of the king into the house of lords, where her majesty has no counsel or other officer to assert her rights. The only alleged foundation for the bill is the report of a secret committee, proceeding solely on papers submitted to them, and before whom no single witness was examined. The queen has been further informed, that her counsel last night were refused a hearing at the bar of the house of lords, at that stage of the proceeding when it was most material that they should be heard, and that a list of the witnesses, whose names are known to her accusers, is to be refused to her. Under such circumstances, the queen doubts whether any other course is left her, but to protest in the most solemn manner against the whole of the proceeding—but she is anxious to make one more effort to obtain justice, and therefore desires that her counsel may be admitted to state her claims at the bar of the house of lords."

Lord Dacre moved that the counsel be called in.

Messrs. Brougham and Denman then appeared—they were restricted to a discussion of the mode and time of proceedings, when Mr. B. delivered a very eloquent, perhaps it might be called an indignant speech, at being thus confined, &c. He spoke of the bill and the manner and time of it in pointed terms—that justice to the queen required that it should be immediately acted upon. He said "he was bound to believe that some of the *dicta* given out of doors had had influence on that house; and it had been said that she was to be dealt with as the lowest in the realm. God grant that she had been the humblest, and not the highest—she would then have had no proceedings against her, because she would have been fenced round by the triple shield of British justice. Then a bill of divorce and of pains and penalties could not have been brought against her, until the verdict of a jury had gone against her, by twelve honest, conscientious, and impartial Englishmen, at whose door the influence of the other party might have flagitated for ages before one single particle of it could have entered." When he was proceeding in his speech, the lord chancellor checked him, but Mr. Brougham said "no power under Heaven should prevent him from attempting to do his duty to his illustrious client; but he might be put down—there was no resisting power—yet he knew their lordships were wont to be just." He then went on and whipped the ministers for offering the queen 50,000*l.* a year, while they pretended to believe she had committed the most flagitious crimes. That she had a right to the benefit of the law, and to be presumed innocent until proved guilty, &c. Mr. Denman followed, and delivered an able speech. He stated that the queen desired to meet her accusers within 24 hours. He said "they were told by the bill that that with which she was charged had been continued for six years; why then were not these charges made before? In ordinary cases of divorce it was customary to enquire what had been the moral conduct of the husband; and even if that had been correct, there might be an abandonment on his part, which would deprive him of the remedy he sought for. She, how-

ever, waved all claim to such enquiry, in order to see at once at the bar all that her accusers could bring as witnesses against her. The names of all the evidence in every criminal case were endorsed on the back of the bill presented to the grand jury; they were examined on oath in open court; and was her majesty to be the only person in the land who was denied that right and justice? All former cases of this kind had been attempted to be justified on grounds of state necessity; but if that had been the case in the present instance, would it have been allowed to sleep over six years?" He prayed that she might have the opportunity to vindicate herself, like the meanest subject in the realm, and protested against the proceedings of a secret tribunal. After which the ministers carried a proposition to postpone the further consideration of the matter until Monday the 9th, of which no account has yet been received.

In the house of commons, on the 6th July, sir R. Ferguson stated many particulars about what was called the "Milan commission," which was the employment of persons to rake up scandal against the queen. This affair cost 37,000*l.* "a sum sufficient, he said, to destroy the character of any man or woman existing in Italy!" The head of this commission appears to have been a wretched Italian, and when Castlereagh said that he had been represented as a gentleman of purity of morals, every body laughed. He refused information respecting this commission; of which the vice chancellor had had the management. Mr. Crevey said "the house had a right to have the vice chancellor before them, as but for such intermeddling, the whole of the differences might have been settled. It was the officious Mr. Leach that had kept these unhappy differences alive, and the vindictive spirit of the king—(*Order, order, order*). Ministers had negotiated with the queen at St. Omers, and afterwards in London, after they had been in possession of these most serious charges. The question betwixt the king and the queen was a private matter, and the king was to be put in the same state as any other man who applied for a divorce. To be entitled to that remedy, the king must come with clean hands into court (*Order*.) on such an occasion." Castlereagh reproved Mr. Crevey, for attacking the king—"such epithets no man was entitled to bestow on that illustrious personage." Mr. Bennet delivered a very free speech. He spoke of the dreadful odds against the queen, through the influence of the king in parliament—Castlereagh rose to order—it was against the rules of the house to introduce the name of the sovereign into the debate. After this, the further discussion of the whole subject appears to have been postponed until the 15th August, on the motion of the ministers.

It is stated that the queen has written to Italy, requesting the attendance of 100 persons of the first families, to give evidence in her behalf. Sundry witnesses against her have reached England from Italy. Every account says that they are of the very dregs of the people of that country. When they arrived at Dover the people pelted them, trampled upon them, and spit upon them; they hardly escaped with their lives, through the interference of the magistracy, who were compelled to read the riot act. Much amusement has been excited in London by a procession of people carrying two green bags on the end of a long pole, on which was written, "*Britons protect your injured queen against the filthy contents of the green bag.*" She has been informed that liberal supplies of money will be granted to her to carry on her defence. A London paper, of

the 9th, says "The noted count Pergami is by some asserted to be a *female*! and by others, to be of that description of persons who are occasionally imported from Italy to sing the tenor notes in some of our theatres. Alluding, as we suppose to these rumors, a morning paper says—If, in the present instance, this charge against her majesty of adultery with Pergami, does not produce more laughter throughout Europe than any thing which has occurred since the beginning of the French revolution, when laughing went out of fashion—nay, we will even go farther—if this solemn charge reduces ultimately any thing but laughter against the fabricators and believers in the supposed intercourse, we shall be content to be reckoned the greatest dupes that the whole land contains." And, the London Observer says, "We have reason to believe, that when the charge against her majesty comes to be investigated, it will appear perfectly absurd. Rumors are publicly afloat on this subject, to which we cannot properly allude, but which it is universally supposed are not without foundation." Another paper says—"Our readers will observe, that, if the adulterous intercourse with Pergami is not proved, the bill against the queen falls to the ground."

FRANCE.

Various arrests have recently taken place at Paris; but the city and country now seems quiet.

The election law passed the chamber of *peers* by a vote of 141 to 56.

The *Moniteur* contains the official promulgation of the election law, and announces the proportion of new members to be furnished by the different departments, towards the completion of the additional 172, prescribed by the enactment.

A society of ladies meet regularly at one of the churches in Paris, to pray that the duchess of Berri may be safely delivered of an heir to the throne!!!

Two trials have taken place for seditious cries at Paris. The discovery of a *tri-colored flag* at Ailes made a great uproar; but the peace of the town was maintained!

An Englishman who was taken up at Nantz during the riots, told the judge in his own defence, that not understanding French, and being accustomed to scenes of far more hostile character in his own country, he remained in the crowd, *not thinking that a tumult had commenced!*

M. Ganiilh has concluded his report on the budget of ways and means; the whole revenue of the state, after deducting that arising from the royal domains, the forests, posts, lotteries, &c. landed property and fixed capital paid 9-16ths; industry and commerce 1-16th, and taxes on consumption 6-16ths. The chamber, after finishing the adjourned discussion of the articles relative to the legion of honor, adopted the law by a majority of 133 to 29 votes.

The budget of ways and means occupies the attention of the French chamber of deputies. M. de Corcelles objected to a sum of 300,000 francs, which was charged upon the estimates in favor of the widow of general Moreau. He acknowledged that it was a balance due to that great man, which had been retained by the state, upon the sale of his property, to defray the expense of "a too celebrated trial." "But," observed M. de Corcelles, "if she be thus indemnified as the victim of an inquisitorial judgment, France is thronged with similar victims. Doubtless the ill fated general had more than once led our battalions to victory; but French banners do not shade his tomb, and bitter regrets were mingled with his latest breath. Let us not disturb his ashes; but let us never forget the lessons of our own history: *Buyard*, when expiring under the murderous

steel of the foes of his country, thought himself more happy than the constable de Bourbon, triumphant at the head of an enemy's army." (*Lively animation; general Poy and other liberal deputies called for the printing of this speech*).

M. Castel Bajac observed that Moreau fought and died in the cause of his sovereign.

The pensions of the last year, charged on the royal treasury, were—

Civil,	- - - - -	2,340,000
Military,	- - - - -	52,000,000
Ecclesiastical,	- - - - -	10,900,000
Additions to the appropriations for the following ministers:		
Of the interior,	630,390	
Of war,	270,000	
Of justice,	360,000	
Of finance,	502,260	
	<hr/>	1,762,659

France, 69,002,650

This was proposed to be reduced four millions the ensuing year.

SPAIN.

It is stated that Mr. *Meude*, so celebrated for his sufferings in Spain, has at last accomplished a settlement of his claims, and to receive between 4 and 500,000 dols. from the government of that country.

All Frenchmen that were confined in Spain or her possessions, for being without passports, or as spies, or as being connected with the insurgents, have been released.

The place at Toledo, wherein the accursed inquisition was accustomed to amuse themselves by roasting people alive, has been demolished, and a column erected to mark the unhallowed spot.

The plague prevails at Majorca—but some parts of the island are yet exempted from this terrible disease.

GERMANY, &c.

British goods were so much sacrificed at some of the late fairs in Germany, that they are stated to have been given away.

It is said that the new constitution of the Prussian monarchy will be published on the 3d August, the anniversary of the birth of the sovereign.

EAST INDIES.

Accounts from Java say that the numerous failures in the United States have caused the greatest distress in that island.

TURKEY.

We hear much of the preparations of the grand signior to reduce Ali, pacha of Janina. He has taken the town of Salona and put the Turkish garrison to the sword. The Turkish flotilla has captured a vessel from Leghorn laden with supplies for him—they have several ships of war off the coast. An interview had taken place between Ali pacha, and sir Thomas Maitland, the British satrap in the Ionian islands. The former demanded that "the stipulations which date from the time of the Venetian republic" which prohibits the Turkish fleets from navigating the Adriatic and Ionian seas, shall be maintained. Sir T. Maitland declined answering the question.

One hundred and thirty ships have arrived since the defeat of the Arabs by the English, and the navigation of the Tigris is quite safe since Sadik Bey (brother to the last pacha,) who excited the Arabs to revolt, has fled to Persia.

The English have established packet boats between Bagdad and Bossorah, which sail down the Euphrates in a very short time, and take 12 days to sail up the river.

Constantinople, May 26. On the 17th, a great fire broke out in the quarter of the Jews, which consumed 360 houses.

BARRARY POWERS.

The Algerine squadron has sailed, destination unknown.

BRITISH NORTH AMERICA.

The following statement of vessels arrived at Liverpool from the British colonies of North America, during the last six years, will show the increasing importance of this trade to that port.

Years.	Vessels.	Tonnage.	Men.
1814	99	26,235	1,310
1815	161	42,668	2,135
1816	181	48,127	2,448
1817	164	43,463	2,175
1818	334	80,560	4,625
1819	320	84,570	4,245

SOUTH AMERICA.

Gen. Macgregor, who made so much noise in Venezuela a few years since, is now said to live secluded at Gonaives, with very few followers—yet still meditating grand expeditions.

COLOMBIAN REPUBLIC.

We now present to our readers a translation of the letter of Morillo, addressed to the congress at Angostura, dated on the 17th of June last, upon the subject of his proclamation, together with the answer given thereto by congress—from which the friends of liberty will be able to form their own conclusions.—*Aurora.*

To their high mightinesses the congress, assembled at Guyana.

HIGH AND MIGHTY LORDS—Your high mightinesses are acquainted with the late events on the peninsula, and with the triumph of the general opinion of the nation in the re-establishment of the constitution of the Spanish monarchy, sanctioned at Cadiz in the year 1812, by the universal suffrages of the representatives of both hemispheres. Having received positive orders from the constitutional monarch of the Spains, to enter into a just and generous accommodation, which will re-unite all the family, in order to enjoy the advantages of our political regeneration, and to put an end to fatal effects of a division generated by the desire to be free from oppression, that, by a false calculation, had been considered peculiar to these countries, notwithstanding that it had been transcendental to all the empire, I take upon myself to make known to your high mightinesses, that I have opened communications with the superior military chief of your government, and with his subalterns, proposing to them a suspension of hostilities, until the realization of a reconciliation which has been confided to brigadier don Thomas Cires, governor of Cumana, and don Jose Domingo Duarte, intendant of the army, and gen. superintendent of the finances, appointed commissioners near your mightinesses, on the just basis of equality and reciprocity, honorable to both parties.

I have given orders to my subalterns to make suspension of hostilities, and to remain in their several positions, without making any movements, unless they shall be first attacked.

As a military chief, subject to subordination, the fundamental basis of my career, I have made war; as a reconciliator, I take upon me, with the greatest pleasure, and in the same spirit of subordination, to display the principles of liberality, with which the king and the nation have authorized me, to establish peace and reconciliation between the two people, Spaniards by nature, and by the course of ac-

tual circumstances, worthy to participate in the reform of our political institutions.

Your high mightinesses must cast away from your remembrance, as well as I do from this moment, the *odiousness of the war*, and bestow all our regards on the sweet and smiling hope of re-uniting sons with their fathers, brothers with brethren, friends with friends, and Spaniards to Spaniards, who had been separated by a fatality, in order to reciprocate our felicitations on the happy opportunities which a conciliatory constitution presents us, which, by common consent, we can ameliorate, when the practical operation of affairs and experience shall point out its necessity.

The constitution equalizes the representation of all the people—no one is dependent on the other—of course they are free and independent: To the suffrages of this representation is assigned the authority to make these laws which we are to observe, as well as the economical regulations by which our agriculture shall be governed, as well as our commerce, all the arts and every kind of industry free from those odious monopolies which the avaricious policy of the past centuries had imposed on every people.

The commissioners will explain to your high mightinesses the elements of reconciliation, and I am fully persuaded that affection and benevolence will renew and fix their fraternity, notwithstanding that for the moment considerations of distrust, arising out of past events—epochs truly of fury and desperation—your high mightinesses may for a moment refuse to adopt the propositions of the nation, emanating from the predilection by which it is animated, of making the triumph common to all the Spanish possessions, in all the quarters of the globe where its laws have reached, and where, with better dispositions, the new institutions will now be received.

What a delightful metamorphose for all of us, when we shall be re-united, and I shall be enabled to divest myself of the habiliments of war, and without any other distinction than of a pacific Spanish citizen, participating in common in the public celebration of the triumph obtained reciprocally over our passions. Until this happy event shall be consummated, your high mightinesses cannot appreciate the difference between a general and a citizen, who has a constitutional honor to be the most humble servant of your high mightinesses.

PABLO MORILLO.

Head-quarters, Caraccas, June 17th, 1820.

Answer of Congress.

SIR—The sovereign congress which has been convoked in an extraordinary session, to take cognizance of a letter from you, dated the 17th June, 1820, from the head quarters at Caraccas—in which you have communicated that brigadier general Thomas Cires, and Domingo Duarte, were appointed commissioners to proceed to this city with the object of soliciting the union of this country with the constitutional monarchy of Spain, and that the said commissioners will explain the elements of reconciliation proposed by the nations—has, in the public session of the 11th instant, deliberated, and resolved, that the following decree shall be transmitted to you as their answer:

DECREE.

The sovereign congress of Columbia, anxious to see peace re-established, will hear with pleasure the proposals which may be made on the part of the Spanish government, provided they shall have for their end the absolute acknowledgment of the entire sovereignty and independence of the repub.

lic of Colombia; and that they will not admit any other overture, which shall not conform to this principle, proclaimed by the government, as well as by the people at different epochs.

The president of the sovereign congress has the honor to remain your very humble servant,

FERD. PENALVER, *President of Congress.*
Palace of the Congress, at New Guyana,
13th July, 1820—tenth year.

PHILIP DE LA PIANE, *Secretary.*
To Don Pablo Morillo.

CHRONICLE.

The U. S. brig *Enterprize*, touched at Charleston on the 9th inst. on her way from Havana, Jamaica, &c. to New-York. She brought home five persons who had been detained at Havana, as patriot prisoners, and also 200,000 dollars in specie, from Jamaica, for a house in New-York.

A duel was lately fought near Petersburg, Va. in which the parties, being excellent marksmen, killed each other. One died on the spot, the other two hours after the battle. This is well.

Died, on the 12th inst. at Brooklyn, N. Y. Mr. *Francis Guy*, landscape painter, late of Baltimore, in the 61st year of his age.

—, in Indiana, an infant, whose death was the first that had happened in the family of Mr. "Jesse Vawter, whose children and grand children were fifth eight."

The *shakers* of Canterbury and Enfield, N. H. have given \$500 for the relief of the sufferers by the late fire at Troy.

Washington city. The secretary of state is the only head of a department now at the seat of government.

New-York. A respectable citizen of Philadelphia, from the infected district, has died of the yellow-fever at New-York.

Louisiana. Thomas B. Robertson, esq. is elected governor of this state, and Edward Livingston, esq. chosen as its representative in congress.

Wool. A wagon, drawn by seven horses, with three tons of merino wool on board, was lately passed on a road from New-Hampshire, for the factory at Danvers, Mass.

Courts martial. By division orders, published by direction of major-general Brown, it appears that major *Abraham R. Wooley*, of the corps of ordnance, and captain *Hzekiah Johnson*, assist. dept. quarter-master-gen. have been tried on charges preferred against them by post-surgeon *Hanson Callett*, and were both honorably acquitted, the charges exhibited being pronounced "*vexatious, unfounded and malicious*"—"for the purpose of malice and gratification of rancour." It seems to us that a provision which belongs to an ancient institution, might, perhaps, be usefully applied by courts martial—if a person fails to substantiate a charge preferred against his fellow, the accuser shall be liable to the pains and penalties that would have been inflicted on the other, if found guilty.

Counterfeits. A grand nest has been broken up, which had its head quarters in the city of New-York, where many agents, men and women, were in regular employ in passing off notes. It is supposed that this gang has circulated forged bills to the amount of \$300,000! Their work shops were in Canada. A fellow has been arrested at Norfolk with an assortment of counterfeits—he was a pedlar. Good imitations of the two dollar notes of the Ha-

vre-de-Grace bank are abundant—all of that denomination should be refused. The source from whence have issued the streams of counterfeits on the Baltimore, Annapolis, and Havre-de-Grace banks, has been discovered to be at the house of a *Henry Freburger*, a baker in Baltimore, where forged bills to large amount, supposed to be from the manufactories in Canada, were taken out of a jar buried in the cellar. It is believed that forged notes to the amount of 30,000 dollars have been distributed from this wholesale shop of villainy. Freburger made his escape, but we trust will be arrested. He is a man well known, and the pursuit it hot. The bills found in the jug are given as follows:

1,220	\$2	Notes, Havre-de-Grace bank,	\$2,440
1,518	do	do Franklin bk. of Baltimore	3,036
1,084	\$1	do do do	1,084
748	\$3	do Georgetown (D. C.)	2,244
2	\$5	do Phoenix bank of New-York	10
1	\$3	do Mechanics' bank do	3
1	\$2	do Mechanics' and Farmers' bank of Albany	2
			\$8,819

STOCK JOBBER. We are sorry to believe that jobbing in stocks begins to be something like a regular business in the United States. We are opposed to every sort of trade which brings forth no fruit—a dealing in stocks to the amount of 50 millions a year will not produce a thing of value to the country equal to that of a grain of corn, though it may enrich some and beggar others. The following article, from the New-York "American," accounts for the late fluctuations in the prices of the stock of the U. S. bank:

"Owing to the vast amount of unemployed capital in our principal cities, a system of speculation (we might call it gambling) in the stocks is growing up, which, tho' carried on with somewhat less craft, and mystery, and slang, than upon the Stock Exchange in London, bids fair to rival the doings of that great mart, in the sudden fluctuations to which it exposes the public stocks. It is from the effects of this system that we have lately seen U. S. bank stock one day at 106, and in three or four days after at 103, without the occurrence of any thing in the intermediate time which could at all vary the intrinsic value of the stock. This is brought about in the following manner: contracts are made for stock at a stipulated price, payable and deliverable at some distant day: It may so happen, as we understand was recently the case, that many of these contracts for large amounts become due about the same time; the sellers must make good their contracts whatever be the price of stock, and their competition therefore alone would tend to raise the price. But it is also the interest of the buyers that the price should be enhanced—for, all above the rate at which they stipulated to receive the stock, is so much clear gain to them; by a little judicious management, therefore, they can give a little lift to the stock, and thus, between buyers and sellers, it is suddenly run up to an unreasonable height, until the contracts are completed, when it as suddenly falls back."

Washington City. The corner-stone of a building intended for a City Hall, was laid at Washington, on Tuesday last, in ample masonic form, in the presence of a great multitude of people—after which there was an address and an oration, &c. It is stated that the designed building, when completed, will rival the capitol in its dimensions.

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